

GENERAL STATUTORY RULES
AND ORDERS.

VOLUME II

(1841—1889)

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

GENERAL RULES AND ORDERS

MADE UNDER

ENACTMENTS

IN FORCE IN

BRITISH INDIA

CONSISTING OF

PART I

General Rules, Proclamations and Notifications made under Statutes
relating to India

AND

PART II

General Rules and Orders made under General Acts of the Governor
General in Council; with an Index

(IN FOUR VOLUMES).

VOLUME II

(Containing Part II, Rules under Acts from 1841 to 1889.)



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GENERAL RULES AND ORDERS

UNDER

ENACTMENTS

IN FORCE IN

BRITISH INDIA.

PART II.

**General Rules and Orders¹ made under General Acts of the
Governor General in Council.**

THE INDIAN REGISTRATION OF SHIPS ACT, 1841 (X OF 1841).

Form of Survey Certificate.

No. 3319, dated 6th August, 1891.—The Governor General in Council approves the suggestion of the Government of Bengal, and, in the exercise of the power conferred by section 8 of Act X of 1841² as amended by Act VII of 1891, directs that the certificate of the surveying officer shall in future be in the form attached to this Resolution, instead of the form given in the Schedule to the Act.

¹ *N.B.*—Rules and orders of a temporary nature and orders conferring powers on officials personally by name are omitted.

² *Genl. Acts*, Vol. I.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN REGISTRATION OF SHIPS ACT, 1841 (X OF 1841).

Form of Survey Certificate—*contd.*

ACT X OF 1841 (AS AMENDED BY ACT VII OF 1891).

(SECTION 8.)

Certificate of Survey.

NAME OF SHIP.	PORT OF INTENDED REGISTRY.	OFFICIAL NUMBER, IF THERE HAS BEEN ANY FORMER REGISTRY.		
Whether British or Foreign built.	Whether sailing or steamship, and, if a steamship, how propelled.	Where built.	When built.	Name and address of builders.
Number of Decks . . .	Length from fore part of stem under the bowsprit to the aft side of the head of the stern post.	Feet.		
Number of Masts . . .				
Rigged	Length at quarter of depth from top of weather deck at side amidships to bottom of keel.			
Stern	Main breadth to outside of plank.			
Build	Depth in hold from tonnage deck to ceiling at midships.			
Galleries	Depth in hold from upper deck to ceiling at midships, in the case of three decks and upwards.			
Head	Depth from top of beam amidships to top of keel.			
Framework and description of vessel.	Depth from top of deck at side amidships to bottom of keel.			
Number of bulk-heads .	Round of beam.			
Number of water ballast tanks and their capacity in tons.	Length of Engine-room (if any) . . .			

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN REGISTRATION OF SHIPS ACT, 1841 (X OF 1841).

Form of Survey Certificate—*contd.*

PARTICULARS OF DISPLACEMENT.

Total to quarter the depth from weather deck } at side amidships to bottom of keel. }	tons.	Ditto per inch immersion } at same depth. }	tons.
--	-------	--	-------

PARTICULARS OF ENGINES, ETC. (IF ANY).

Number of Engines.	Description	Whether British or Foreign made.	When made.	Name and address of maker	Number of and diameter of cylinders.	Length of stroke.	N. H. P. I. H. P. speed of ship.
	Engines .		Engines .	Engines .			
	Boilers .		Boilers .	Boilers .			
	Number .						
	Iron or steel						
	Pressure when loaded						

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN REGISTRATION OF SHIPS ACT, 1841 (X OF 1841).

Form of Survey Certificate—*concl'd.*

PARTICULARS OF TONNAGE.

	Number of tons.		Number of tons.
GROSS TONNAGE.		DEDUCTION ALLOWED.	
Under Tonnage Deck . . .		On account of space required for propelling power.	
Closed in spaces above the Tonnage Deck, if any.		On account of spaces occupied by Seamen or Apprentices and appropriated to their use, and kept free from goods or stores of every kind, not being the personal property of the crew. These spaces are the following, namely :	
Space or spaces between Decks.			
Poop			
Forecastle			
Round House			
Other closed in spaces, if any, as follows:—		Deductions under section 3, 52 & 53 Vict., c. 43 (1889), as follows:—	
Spaces for machinery and light and air, under section 2, 52 & 53 Vict., c. 43 (1889), if required—		Cubic Metres.	
Gross tonnage			
Deduction as per contra			
Registered Tonnage			
		Total	

I, the undersigned _____, having surveyed the above-named ship, hereby certify that the above particulars are true, and that her Name is marked on each of her bows, and her Name and the Port of Registry are properly marked on a conspicuous part of her stern, a scale of feet marked on each side of her stem and of her stern post, and lines permanently and conspicuously marked on each side amidships indicating the position of each deck which is above water, in manner directed by the Merchant Shipping Acts, 1854 to 1876.

Dated at _____

this _____ day of _____ 18

Surveyor.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN REGISTRATION OF SHIPS ACT (1841) AMENDMENT ACT,
1850 (XI OF 1850).

Tonnage of Native Coasting Craft (India and Ceylon).

No. 513, dated the 21st December, 1877.—The Governor General in Council is pleased, in exercise of the power conferred by section 3 of Act XI of 1850,¹ to make the following rules for calculating the measurement for tonnage of such native decked ships and vessels employed in coasting voyages or between India and Ceylon as may be registered under that section in British Burma:—

Hull:—Measure the length along the deck from the afterpart of the stem to the forepart of the stern post.

Secondly.—The breadth from the broadest part from skin to skin.

Thirdly.—The depth from under the tonnage deck down the pump well to skin.

Multiply these three dimensions together, and divide the product by 130, and the quotient will be the tonnage of the hull of such vessel.

If the vessel have a poop or other closed-in space, measure the inside length, breadth and height of such part thereof as may be included within the hulk-heads, whether enclosed within the foremost hulk-head or not.

Multiply these three measurements together, and divide the product by 92·4; the quotient will be the number of tons to be added to the tonnage of hull of such vessel.

NOTE.—In measuring breadth, the skin is the inner side of the inner planking, and if this bottom is laid on or against the inner side of the planking, the floor timber or, in the case of a flat bottom, the skin.

[See Gazette of India, 1877, Pt. I, p. 747.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1861 (V OF 1861).

Formation of Delhi Province as a general Police District.

No. 8, dated the 1st October, 1912.—The Chief Commissioner is pleased to direct that the Province of Delhi shall form a general Police District as defined in section 1 of the ¹ Police Act, 1861 (V of 1861):

[See Gazette of India, 1912, Pt. I, p. 1105.]

Appointment of an Inspector-General of Police for the Province of Delhi.

No. 9, dated the 1st October, 1912.—In exercise of the power conferred by section 3 of the ¹ Police Act, 1861 (V of 1861), the Chief Commissioner is pleased to appoint himself to be Inspector-General of Police for the Province of Delhi.

[See Gazette of India, 1912, Pt. I, p. 1105.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SUCCESSION ACT, 1865 (X OF 1865).

Place of deposit in Delhi of declarations by persons desiring to acquire a domicile in British India.

No. 13, dated the 1st October, 1912.—In exercise of the power conferred by section 11 of the 'Indian Succession Act, 1865 (X of 1865), the Chief Commissioner is pleased to appoint the office of the said Chief Commissioner to be the office to which declarations under the said section may be deposited by persons desiring to acquire a domicile in British India.

[See Gazette of India, 1912, Pt. I, p. 1105.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PARSI MARRIAGE AND DIVORCE ACT, 1865 (XV OF 1865).

Table of Parsi Consanguinity and Affinity.

No. 1720, dated 6th September, 1865.—With reference to section 3 of Act XV of 1865, the following table of the degrees of consanguinity and affinity within which marriage is prohibited among the Parsees, is published for general information:—

TABLE.

A man shall not marry his—

1. Paternal grand-father's mother.
2. Paternal grand-mother's mother.
3. Maternal grand-father's mother.
4. Maternal grand-mother's mother.
5. Paternal grand-mother.
6. Paternal grand-father's wife.
7. Maternal grand-mother.
8. Maternal grand-father's wife.
9. Mother or step-mother.
10. Father's sister or step-sister.
11. Mother's sister or step-sister.
12. Sister or step-sister.
13. Brother's daughter or step-brother's daughter, or any direct lineal descendant of a brother or step-brother.
14. Sister's daughter or step-sister's daughter, or any direct lineal descendant of a sister or step-sister.
15. Daughter or step-daughter, or any direct lineal descendant of either.
16. Son's daughter or step-son's daughter, or any direct lineal descendant of a son or step-son.
17. Wife of son or of step-son, or of any direct lineal descendant of a son or step-son.
18. Wife of daughter's son or of step-daughter's son, or of any direct lineal descendant of a daughter or step-daughter.
19. Mother of daughter's husband.
20. Mother of son's wife.
21. Mother of wife's paternal grand-father.
22. Mother of wife's paternal grand-mother.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PARSI MARRIAGE AND DIVORCE ACT, 1865 (XV OF 1865).

Table of Parsi Consanguinity and Affinity—*contd.*

23. Mother of wife's maternal grand-father.
24. Mother of wife's maternal grand-mother.
25. Wife's paternal grand-mother.
26. Wife's maternal grand-mother.
27. Wife's mother or step-mother.
28. Wife's father's sister.
29. Wife's mother's sister.
30. Father's brother's wife.
31. Mother's brother's wife.
32. Brother's son's wife.
33. Sister's son's wife.

A woman shall not marry her—

1. Paternal grand-father's father.
2. Paternal grand-mother's father.
3. Maternal grand-father's father.
4. Maternal grand-mother's father.
5. Paternal grand-father.
6. Paternal grand-mother's husband.
7. Maternal grand-father.
8. Maternal grand-mother's husband.
9. Father or step-father.
10. Father's brother or step-brother.
11. Mother's brother or step-brother.
12. Brother or step-brother.
13. Brother's son or step-brother's son, or any direct lineal descendant of a brother or step-brother.
14. Sister's son or step-sister's son, or any direct lineal descendant of a sister or step-sister.
15. Son or step-son, or any direct lineal descendant of either.
16. Daughter's son or step-daughter's son, or any direct lineal descendant of a daughter or step-daughter.
17. Husband of daughter or of step-daughter, or of any direct lineal descendant of a daughter or step-daughter.
18. Husband of son's daughter or step-son's daughter, or of any direct lineal descendant of a son or step-son.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PARSI MARRIAGE AND DIVORCE ACT, 1865 (XV OF 1865).

Table of Parsi Consanguinity and Affinity—*concl'd.*

19. Father of daughter's husband.
20. Father of son's wife.
21. Father of husband's paternal grand-father.
22. Father of husband's paternal grand-mother.
23. Father of husband's maternal grand-father.
24. Father of husband's maternal grand-mother.
25. Husband's paternal grand-father.
26. Husband's maternal grand-father.
27. Husband's father or step-father.
28. Brother of husband's father.
29. Brother of husband's mother.
30. Husband's brother's son, or his direct lineal descendant.
31. Husband's sister's son, or his direct lineal descendant.
32. Brother's daughter's husband.
33. Sister's daughter's husband.

NOTE.—In the above table the words "brother" and "sister" denote brother and sister of the whole as well as half blood. Relationship by step means relationship by marriage.

[See Gazette of India, 1865, p. 981.]

Registrar for Province of Delhi under Act.

No. 11, dated the 1st October, 1912.—In exercise of the power conferred by section 7 of the Parsi Marriage and Divorce Act, 1865 (XV of 1865), the Chief Commissioner is pleased to appoint the Deputy Commissioner of Delhi to be the Registrar of the Province of Delhi for the purposes of the said Act.

[See Gazette of India, 1912, Pt. I, p. 1105.]

Certificates of copies of entries in certificate book of Parsi marriages.

No. $\frac{6}{1074-85}$ dated the 9th August, 1899.—In exercise of the powers conferred by section 13-A of Act III of 1872¹ (*to provide a form of marriage in certain cases*), and section 8-A of the Parsi Marriage and

¹ Genl. Acts, Vol. II.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PARSİ MARRIAGE AND DIVORCE ACT, 1865 (XV OF 1865).

Certificates of copies of entries in certificate book of Parsi marriages—*contd.*

Divorce Act, 1865,¹ the Governor General in Council is pleased to issue the following orders:—

Copies of entries in the Marriage Certificate Book prescribed in section 13 of Act III of 1872² and in the Register of Marriages referred to in section 6 of the Parsi Marriage and Divorce Act, 1865, which Registrars* under these Acts are required to send to the Registrars General of Births, Deaths and Marriages appointed under the Births, Deaths and Marriages Registration Act, 1886, shall be certified in the form set forth in the following Schedule, and shall be sent at intervals of three months, on or as nearly as possible after the 1st January, April, July and October in each year.

Should no entries be made in a Marriage Certificate Book, or a Register of Marriages, as the case may be, during the preceding three months, a certificate to this effect shall be sent to the Registrar General concerned.

Schedule.

Form of Certificate of truth of copies of entries in Marriage Certificate Book under Act III of 1872 (or Register of Marriages under the Parsi Marriage and Divorce Act, 1865, as the case may be) to be sent to Registrar General.

Certified that the above, which contains entries from No. _____ regarding _____ to No. _____ regarding _____, is a true copy of all the entries in the Marriage Certificate Book under Act III of 1872 (or Register of Marriages under Act XV of 1865, as the case may be) kept by me for the three months ending the day of _____ 18 ____.

Dated the _____ of _____

(Signature)

Registrar of Marriages under Act III of 1872 (or Registrar under the Parsi Marriage and Divorce Act, 1865,¹ as the case may be) for (local area).

[See Gazette of India, Supplement, 1889, p. 921.]

¹ Genl. Acts, Vol. I.

² Genl. Acts, Vol. II.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRESS AND REGISTRATION OF BOOKS ACT, 1867 (XXV OF 1867).

Supply of copies of books printed or lithographed in Delhi to Deputy Commissioner free of charge.

No. 29, dated the 1st October, 1912.—In exercise of the powers conferred by sections 9 and 11 of the Press and Registration of Books Act, 1867 (XXV of 1867),¹ the Chief Commissioner is pleased to direct that printed or lithographed copies of the whole of every book which shall be printed or lithographed in Delhi, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same, shall be delivered at the Deputy Commissioner's office to the Deputy Commissioner of Delhi free of expense to the Government, and that the copy delivered pursuant to clause (a) of the first paragraph of section 9 shall be placed in the Delhi Public Library.

[See Gazette of India, 1912, Pt. I, p. 1107.]

Exemption of Official Publications from provisions of Printing Presses and Books Act, 1867 (XXV of 1867).

No. 1294, dated the 12th March, 1868.—By virtue of the power vested in the Governor General in Council by section 21 of ¹Act XXV of 1867, entitled "An Act for the Regulation of Printing Presses and Newspapers for the preservation of copies of books printed in British India, and for the registration of such books," His Excellency in Council is pleased to declare that all books, maps, sketches, charts, and papers printed or published under orders of Government or for official purposes, are exempted from the provisions of the said Act.

[See Gazette of India, 1868, Pt. I, p. 374.]

Exemptions of Acts of Indian Legislatures and certain other publications from operation of Act.

No. 5793, dated the 30th December, 1870.—Under section 21 of ¹Act XXV of 1867 (*an Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books*), the Governor General in Council is pleased to exempt from the operation of the said Act all reprints and translations, without comment or annotation, of Acts of the several Indian Legislatures published in British India.

[See Gazette of India, 1870, Pt. I, p. 852.]

¹ Genl. Acts, Vol. I.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRESS AND REGISTRATION OF BOOKS ACT, 1867 (XXV OF 1867).

Exemptions of Acts of Indian Legislatures and certain other publications from operation of Act—*concl'd.*

No. 5604, dated the 21st December, 1871.—By virtue of the power vested in the Governor General in Council by section 21 of Act XXV of 1867,¹ entitled "An Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books," His Excellency in Council is pleased to declare that the following publications are exempted from the provisions of the said Act:—

²[1. *Reprints of books without additions or alterations, and without new notes or commentaries.*]

2. Acts of the Legislative Councils without notes or commentaries.

3. Price lists and tradesmen's circulars.

4. Catalogues of books and other articles, auctioneers' notices, and advertisements.

5. Play bills, comprising advertisements of theatrical and musical entertainments.

6. Decisions of Courts of law without notes or commentaries.

7. Petitions and appeals addressed to constituted authority under the provisions of law.

8. Testimonials of private individuals or public officers.

9. Annual reports of schools, banks, societies, and firms.

10. Almanacs and Calendars.

11. Labels affixed to articles of commerce.

[See Gazette of India, 1871, Pt. I, p. 979.]

Withdrawal of exemption of reprints of books.

No. 3276, dated the 16th August, 1872.—Clause 1 of the notification of this Department, No. 5604, dated the 21st December, 1871, exempting from the provisions of Act XXV of 1867,¹ "Reprints of books without additions or alterations, and without new notes or commentaries," is hereby cancelled.

All such reprints will, in future, be registered in accordance with the provisions of the Act.

[See Gazette of India, 1872, Pt. I, p. 777.]

¹ Genl. Acts, Vol. I.

² Cancelled by Notification No. 3276, dated 16th August 1872.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRESS AND REGISTRATION OF BOOKS ACT, 1867 (XXV OF 1867).

Exempting books acquired by Government for educational purposes from Registration Fees.

No. 4823, dated the 21st October, 1869.—By virtue of the power vested in the Governor General in Council by section 21 of Act XXV of 1867,¹ entitled “An Act for the Regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books,” His Excellency in Council is pleased to exempt, from the operation of the clause in section 18 of the said Act, which requires the payment of the sum of two rupees to the officer keeping the catalogue of books, all such books as become the property of Government for educational purposes.

[See Gazette of India, 1869, Pt. I, p. 400.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN VOLUNTEERS ACT, 1869 (XX of 1869).

Volunteer Regulations.

No. 1203, dated 1st December, 1875.—A ¹Code of "Regulations for the Volunteer Forces in India" having been approved by the Hon'ble the President in Council, with the concurrence of the Right Hon'ble the Viceroy and Governor General, the orders therein contained will supersede all circulars and orders heretofore issued relative to the Volunteer Forces in India, and are to be strictly observed.

2. Any alteration which may become necessary hereafter will be notified by a General Order or Circular embodying the new Regulation and referring to the part of these Regulations which is to be modified or cancelled.

3. Copies of the Regulations will be issued to Volunteer Corps and Departments of the Army concerned, as public records.

4. This order is applicable to the three Presidencies.

[See Gazette of India, 1875, Pt. I, p. 616.]

Volunteers called out for Military Service.

No. 300, dated 13th March, 1896.—In exercise of the powers conferred by section 28 of the ²Indian Volunteers Act, XX of 1869, as amended by the Indian Volunteers Act Amendment Act (X of 1896), the Governor General in Council is pleased to make the following rules to regulate the concessions admissible to volunteers called out for military service:—

When a volunteer corps is called out for actual military service, the following rules shall take effect, namely:—

- (a) There shall be issued to the commanding officer a sum of thirty-two rupees for the use of every officer, non-commissioned officer and volunteer belonging to, and assembling with, the corps (except such of them as do not desire to receive the benefit thereof); and each such sum, or so much thereof as the commanding officer of the corps thinks fit, shall be laid out, under the direction of the commanding officer, in providing necessaries for such officer, non-commissioned officer and volunteer; and, within one month after issue thereof, an account shall be settled with each such officer, non-commissioned officer and volunteer respecting the application thereof, and any unapplied residue thereof shall be paid to him.

¹ See the Indian Army Regulations, Vol. IX.

² Genl. Acts, Vol. I.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN VOLUNTEERS ACT, 1869 (XX OF 1869).

Volunteers called out for Military Service—*contd.*

- (b) Such officers, non-commissioned officers and volunteers shall, while on, or proceeding to, or returning from, actual military service, be entitled to receive pay, allowances and rations as under:—
- pay and allowances admissible to the different ranks in the British Army corresponding with those held by them in the volunteers, and
- rations in the same manner and on the same scale as authorized for British troops serving in the military district in which the volunteers are serving.
- (c) On the release of the corps from actual military service, each officer, non-commissioned officer and volunteer present with the corps at the time of such release shall be paid sixteen rupees (except such of them as do not desire to receive the same) in addition to his pay and allowances.
- (d) A commissioned officer of the volunteers, who, when on actual military service, shall be wounded in action, or shall have received an injury when in the execution of military duty otherwise than in action, shall be entitled to the same pension or gratuity as an officer of similar rank in the British Army would be entitled to under the Royal Warrant in force at the time being.
- (e) A commissioned officer of volunteers, who, when on actual military service, shall be so wounded in action or injured when in the execution of military duty otherwise than in action as to be rendered permanently incapable of resuming similar employment to that in which he was engaged at the time when called out for actual military service, shall have the option of being placed for life upon the half pay of an officer of corresponding rank in the British service, as laid down in the Royal Warrant in force at the time being, instead of receiving any pension or gratuity to which he might be entitled under rule (d).
- (f) The widow, children, mother or sisters of a commissioned volunteer officer, who, when on actual military service, has been killed in action or has died of wounds received in action within twelve months after having been wounded, or has died from illness which can be directly traced to fatigue, privation or exposure, incident to active operations in the field, within twelve months after being first removed from duty on account of such illness, provided that the illness be certified to have commenced during such active

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN VOLUNTEERS ACT, 1869 (XX OF 1869).****Volunteers called out for Military Service—*concl'd.***

operations, shall be entitled to such pension or gratuity or compassionate allowances as the widow, children, mother or sisters of an officer of like rank in the British Army would be entitled to under the Royal Warrant in force at the time being.

- (g) A volunteer non-commissioned officer or man who, by reason of wounds or injuries received in action or in the actual discharge of any military duty when on actual military service, shall be rendered partially or totally incapable of earning a livelihood, or in the same manner shall be rendered temporarily incapable of earning a livelihood, shall be entitled to such pension or gratuity as a non-commissioned officer or man of similar rank in the British Army would be entitled to under the Royal Warrant in force at the time being.
- (h) If a married volunteer non-commissioned officer or man, when on actual military service, be killed in action or die of his wounds within twelve months after having been wounded and leave a widow, shall be entitled to a gratuity of one year's pay of his military rank at the rate which the volunteer was in receipt of at the time of his death or of his being discharged from actual military service. A gratuity of one-third of a year's pay of the military rank of the father at the time of his death shall be issued under similar conditions to each orphan child under sixteen years of age, whose mother is dead.
- (i) Nothing in these rules shall be held to interfere with any rights or privileges as to pensions or gratuities to which members of the volunteer force or their families may be already entitled under the regulations now in force.

[See Gazette of India, 1896, Pt. I, p. 185.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Fees for letters of administration.

No. 1522-S.R., dated the 20th March, 1885.—In exercise of the powers conferred by section 26 of the ¹Court-Fees Act, 1870 (VII of 1870), the Governor General in Council directs that the additional court-fee payable under section 19E of the said Act on Probates and Letters of Administration shall be denoted either—

- (a) by impressed and adhesive stamps in the manner prescribed in Notification No. 361 of 18th April, 1883; or
- (b) wholly by adhesive stamps of the kind described in clause I of Notification No. 361 of the 18th April, 1883.

[See Gazette of India, 1885, Pt. I, p. 213.]

Use of adhesive stamps for fees referred to in S. 3, para. 1 of the Court-Fees Act, 1870 (VII of 1870).

No. 4070-S. R., dated the 23rd August, 1895.—In exercise of the power conferred by section 26 of the ¹Court-Fees Act, 1870 (VII of 1870), and in supersession of the Notification in this Department No. 1678, dated the 18th July, 1873, the Governor General in Council is pleased to direct that the fees referred to in the first paragraph of section 3 of the said Act shall, with effect from the 1st September, 1895, be denoted by adhesive stamps of the size and pattern introduced in 1883, bearing the words “Court-fee” and containing three lines in the middle with the Queen’s head and the value printed on the left side, and the word “Service” overprinted on the stamps.

[See Gazette of India, 1895, Pt. I, p. 722.]

No. 3318-S.R., dated the 4th August, 1896.—In exercise of the power conferred by section 26 of the ¹Court-Fees Act, 1870 (VII of 1870), and in continuation of the Notifications of the Government of India in the Finance and Commerce Department, Nos. 361 and 4070-S.R., dated the 18th April, 1883, and the 23rd August, 1895, respectively, the Governor General in Council is pleased to direct that the fees referred to in the first paragraph of section 3 of the said Act may be denoted by adhesive stamps bearing the Queen’s head in a circle in the centre and the value printed on each side thereof, and overprinted with the words “High Court Service.”

[See Gazette of India, 1896, Pt. I, p. 604.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Use of adhesive and impressed stamps, and remission of fractions of an anna.

No. 361, dated the 18th April, 1883.—In exercise of the powers conferred by sections 26 and 35 of the 'Court-Fees Act, 1870 (VII of 1870), and of all other powers enabling him in this behalf; and in supersession of Notification by the Government of India in the Financial Department No. 1520, dated 5th March, 1875, and all other Notifications on the subject, the Governor General in Council is pleased to issue the following directions:—

- I.—When in any case the fee chargeable under the said Act is less than Rs. 10, such fee shall be denoted by adhesive stamps only. Such adhesive stamps bearing the words "Court-fees," at present in use, or adhesive stamps of any different shape, size or pattern, bearing the words "Court-fees," which may hereafter be issued for use, in supersession of, or in addition to, the adhesive stamps now in use.
- II.—When in any case the fee chargeable under the said Act amounts to or exceeds Rs. 10, such fee shall be denoted by impressed stamps bearing the words "Court-fees," adhesive stamps being only employed to make up fractions of less than Rs. 10.
- III.—If in any case the amount of the fee chargeable under the said Act involves a fraction of an anna, such fraction shall be remitted.
- IV.—This Notification shall take effect on and after the 1st June, 1883.

[See Gazette of India, 1883, Pt. I, p. 189.]

No. 1494-S. R., dated the 29th March, 1895.—In exercise of the power conferred by section 26 of the 'Court-Fees Act, 1870 (VII of 1870), and in supersession of so much of paragraph I of the Notification in this Department No. 361, dated the 18th April, 1883, as authorised the use of the adhesive stamp, bearing the words "Court-fees," in use on the date of the Notification for denoting the fee chargeable under the said Act, when in any case the fee is less than Rs. 10, the Governor General in Council is pleased to direct that in such cases the adhesive stamps to be used shall, with effect from the 1st July, 1895, be adhesive stamps of the size and pattern introduced in 1883, bearing the words "Court-fee" and containing three lines in the middle, with the Queen's head and the value printed on the left side.

[See Gazette of India, 1895, Pt. I, p. 265.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees.

No. 4650 (Judicial Stamps), dated the 10th September, 1889.—Under section 35 of the ¹Court-Fees Act, 1870 (VII of 1870), and in supersession of all previous notifications under that section, it is hereby notified that, in exercise of the power to reduce or remit, in the whole or in any part of British India, all or any of the fees mentioned in the First and Second Schedules to the said Act, the Governor General in Council has been pleased to make the reductions and remissions hereinafter set forth, namely:—

A.—General for the whole of British India.

(1) to remit the fees chargeable on applications presented to a Collector for refund of the amount paid to the Government for stamped paper which has become spoiled or unfit for use, or is no longer required for use, and on applications for renewal of stamped paper which has become spoiled or unfit for use;

(2) to remit the fees chargeable on applications in writing relating exclusively to the purchase of salt which is the property of the Government;

(3) to direct that, when a plaint disclosing a reasonable case on the merits is presented to any Civil or Revenue Court in such a form that the presiding Judge or officer, without summoning the defendant, rejects it not for any substantial defect, but on account of an entirely technical error in form only and so as to leave the plaintiff free to prosecute precisely the same case in another form against the same defendant or defendants, the value of the stamp on the plaint shall be refunded on presentation of an application to the Collector of the District in which the Court is situated, together with a certificate from the Judge or officer who rejected the plaint that it was rejected under the circumstances above described, and that the value of the stamp should, in his opinion, be refunded;

(4) to remit the fees chargeable on—

(a) copies of village settlement-records furnished to landholders and cultivators during the currency or at the termination of settlement operations;

(b) lists of fields extracted from village settlement-records for the purpose of being filed with petitions of plaint in Settlement Courts:

Provided that nothing in this clause shall apply to copies of judicial proceedings, or to copies of village settlement-records (other than lists of fields extracted as aforesaid) which may be filed in any Court or Office;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

¹(5) to declare that the fee chargeable on a plaint filed in a suit for possession of immoveable property under section 9 of the Specific Relief Act, I of 1877, shall be one-half of the amount prescribed in the scale of fees for plaints mentioned in article I of the First Schedule;

²(6) to direct that the fee chargeable on appeals from orders under section 244 of the Code of Civil Procedure, Act XIV of 1882, shall be limited to the amounts chargeable under article II of the Second Schedule;

(7) to remit the fees chargeable on security bonds for the keeping of the peace, by, or good behaviour of, persons other than the executors;

(8) to remit the fee payable under article I, clause (c), of the Second Schedule on an application or petition presented to a Chief Commissioner, when the application or petition is accompanied by a petition to the Government of India and contains merely a request that that petition may be forwarded to the Government of India;

(9) to remit the fees chargeable under articles 6, 7 and 9 of the First Schedule on copies furnished by Civil or Criminal Courts or Revenue Courts of Offices for the private use of persons applying for them:

Provided that nothing in this clause shall apply to copies when filed, exhibited or recorded in any Court of Justice or received by any public officer;

(10) to remit the fees chargeable, under paragraph 4 of clause (a) and paragraph 2 of clause (b) of article I of the Second Schedule, on applications for orders for the payment of deposits in cases in which the deposit does not exceed Rs. 25 in amount:

Provided that the application is made within three months of the date on which the deposit first became payable to the party making the application;

(11) to remit with reference to clause XI of section 19 of the Act the fees chargeable on applications for leave to occupy under direct engagement with the Government land of which revenue is settled, but not permanently, when made by persons who do not at the time of application hold the land;

¹ Clause, 5 is superseded by the amendment made in Art. 2 of Schedule I of the Court-Fees Act, 1870, by the Repealing and Amending Act, 1891 (XII of 1891), Schedule II.

² Clause 6, as it now stands, forms the subject of a separate notification issued in supersession of the original clause. It is inserted here as clause 6 for convenience of reference. See Notification No. 4344-S. R., dated 6th October, 1893, *infra*, p. 375.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

(12) to remit the fees chargeable on applications for loans under the ¹Land Improvement Loans Act, XIX of 1883, or the ¹Agriculturists' Loans Act, XII of 1884;

(13) to remit the fees chargeable on an application made by a person to the Collector under the second paragraph of section 39 of the Indian Stamp Act, I of 1879, for the return to that person, or to the registration-officer who impounded it, of a document impounded and sent to the Collector by a registration-officer;

(14) to remit the fee chargeable on an application made for transfer of a stock-note from one circle to another under paragraph 6 of Resolution No. 2566, dated the 20th August, 1885;

(15) to remit the fees chargeable on the following documents, namely:—

- (a) copy of a charge framed under section 210 of the ²Code of Criminal Procedure, 1882, or of a translation thereof, when the copy is given to an accused person;
- (b) copy of the evidence of supplementary witnesses after commitment, when the copy is given under section 219 of the said Code to an accused person;
- (c) copy or translation of a judgment in a case other than a summons-case and copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person;
- (d) copy or translation of a judgment in a summons-case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail;
- (e) copy of an order of maintenance, when the copy is given under section 490 of the said Code to the person in whose favour the order is made, or to his guardian, if any, or to the person to whom the allowance is to be paid;
- (f) copy furnished to any person affected by a judgment or order passed by a Criminal Court of the Judge's charge to the jury, or of any order, deposition or other part of the record, when the copy is not a copy which may be granted under any of the preceding sub-clauses without the payment of a fee, but is a copy which on its being applied for under section 548 of the said Code, the Judge or Magistrate,

¹ Genl. Acts, Vol. III.

² See now the Code of Civil Procedure, 1908 (Act V of 1908), Genl. Acts, Vol. VI.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

for some special reason to be recorded by him on the copy, thinks fit to furnish without such payment;

- (g) copies of all documents furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of the Government before any Criminal Court;

- (h) copies of all documents which any such Advocate, Pleader or other person is required to take in connection with any such trial or investigation, for the use of any Court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings;

- (i) copies of judgments or depositions required by officers of the Police Department in the course of their duties;

- (16) to direct that the fee chargeable—

- (a) on an application to a Collector, or to any officer or person discharging all or any of the functions of a Collector, with respect either to liability to assessment or to the amount of an assessment under Act II of 1886 (*an Act for imposing a tax on income derived from sources other than agriculture*) and

- (b) on a copy of an order passed under section 26 of the same Act shall be limited to one anna;

- (17) to remit the fee chargeable on an application presented by any person for the return of a document filed by him in any Court or public office;

- (18) to direct that, when a part of an estate paying annual revenue to the Government under a settlement which is not permanent is recorded in the Collector's register as separately assessed with such revenue, the value of the subject-matter of a suit for the possession of, or to enforce a right of pre-emption in respect of, a fractional share of that part shall, for the purposes of the computation of the amount of the fee chargeable in the suit, be deemed not to exceed five times such portion of the revenue separately assessed on that part as may be rateably payable in respect of the share;

- (19) to direct that, if the amount of the fee chargeable in any case involves a fraction of an anna, the fraction shall be remitted, except where otherwise expressly provided by this notification;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

¹(19a) to remit the fee chargeable on an application for the grant of a license for the vend of stamps;

²(19b) to direct that no court-fee shall be charged on an application for the repayment of a fine or of any portion of a fine the refund of which has been ordered by competent authority;

³(19c) to remit the court-fees chargeable on applications for copies of documents detailed in clauses 4 and 15 *supra*;

⁴(19d) to remit the duty chargeable in respect of Indian Probates, Letters of Administration or Succession Certificates on the share or other interest of a deceased member of a Company formed under the Indian Companies Act, 1882 (VI of 1882), provided that the said share or interest was registered in a branch register in the United Kingdom under the Indian Companies (Branch Registers) Act, 1900 (IV of 1900), and that such member was at the date of his decease domiciled elsewhere than in India;

⁴(19e) to remit the fees chargeable on applications presented to officers of land-revenue for the suspension or remission of revenue on the ground that a crop has not been sown or has failed;

⁴(19f) to remit the fees chargeable on all applications and petitions presented to a Collector or any Revenue Officer having jurisdiction equal or subordinate to a Collector for advice or assistance from the Agricultural Department of the Province;

⁴(19g) (a) to remit all fees payable under Schedule II upon applications relating to licenses or duplicates granted or renewed under the Indian Arms Rules, 1909, other than those referred to in (b);

(b) to reduce to one anna all fees exceeding one anna payable under Schedule II upon applications for renewal of licenses or for duplicates of licenses under the rules.

B.—Special for the Presidency of Fort St. George only.

⁵(20) to direct that the fees chargeable on the following documents filed in claims preferred under the Madras Hereditary Village Offices

¹ Clause (19a) was inserted by Notification No. 4276-S. R., dated 23rd September, 1897, *see* Gazette of India, 1897, Pt. I, p. 864.

² Clause (19b) forms the subject of a separate Notification, No. 3389-S. R., dated 6th August, 1896, *see* Gazette of India, 1896, Pt. I, p. 604, and is inserted here in this form for convenience of reference.

³ Clause (19c) forms the subject of a separate Notification, No. 1180-Exc., dated 24th February, 1905, *see* Gazette of India, 1905, Pt. I, p. 117.

⁴ Clauses (19d) to (19g) form the subject of separate Notifications, *see* Notifications Nos. 881-S. R., dated the 17th February, 1900, 4585-S. R., dated the 19th August, 1901, 6069-Exc., dated the 26th October, 1906, 3103, dated the 16th August, 1909, and 4594, dated 23rd December, 1909, *see* Gazette of India, 1900, 1901, 1906 and 1909, Pt. I, pp. 100, 608, 760, 745 and 1712, respectively.

⁵ Clause 20 was substituted for the pre-existing clause by Notification No. 3449-S. R., dated 6th August, 1897, Gazette of India, 1897, Pt. I, p. 696.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

Act, 1895 (Madras Act III of 1895), Regulation VI of 1831 (*Hereditary Offices*) shall be limited to the sum specified below against each, namely:—

Plaint. or petition for execution or memorandum of appeal to a Collector—eight annas;

Memorandum of appeal to the Board of Revenue—two rupees;

¹(21) to remit the fees chargeable (a) on copies of judgments, decrees or orders passed on claims preferred under Madras Hereditary Village Offices Act, 1895 (Madras Act III of 1895), Regulation VI of 1831 (*Hereditary Offices*); and (b) on applications filed by either party in the course of the trial of suits or appeals, or in the course of execution of decrees under the said Act;

(22) to remit the fees chargeable under the First Schedule on plaints in summary suits brought before Collectors under Madras Act VIII of 1865 (*An Act to consolidate and improve the laws which define the process to be taken for the recovery of rent*);

(23) to reduce the fees chargeable in suits by Government raiyats, for the recovery of land sold for arrears of revenue, to the amount which would be chargeable if the value of the subject-matter were only the rent of the land payable for the year next before the date of presentation of the plaint;

²(23a) to remit the fees chargeable under the said Act on applications made by toddy-drawers and shop-keepers for the grant of licenses permitting them or their servants to draw toddy from cocoanut and other palms;

³(23b) to remit the fees chargeable on certain applications made by cultivators of the hemp-plant (*Cannabis Sativa* or *Indica*) in the Madras Presidency;

⁴(23c) to remit the fees chargeable on all communications made under Chapter II of the Madras Proprietary Estates Village Service Act, 1894 (Madras Act II of 1894), by a proprietor to any Revenue Officer relating to the appointment and control of village officers;

¹ Clause 21 was substituted for the pre-existing clause by Notification No. 3449-S. R., dated 6th August, 1897, Gazette of India, 1897, Pt. I, p. 696.

² Clause (23a) forms the subject of a separate Notification, and is inserted here for convenience of reference as a new clause, Gazette of India, 1897, Pt. I, p. 525.

³ Clause (23b) forms the subject of a separate Notification, and is inserted here in that form for convenience of reference, *see* Gazette of India, 1901, Pt. I, p. 32.

⁴ Clauses (23c) to (23e) form the subject of separate Notifications, *see* No. 225-S. R., dated 11th January, 1901, Gazette of India, 1901, Pt. I, p. 32, No. 6260-S. R., dated 12th December, 1901, Gazette of India, 1901, Pt. I, p. 1030, and No. 5563-F., dated the 7th September, 1911, Gazette of India, 1911, Pt. I, p. 752.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII of 1870).

Reductions and Remissions of Court-fees—*contd.*

¹(23*d*) to remit the fee chargeable on applications made by distillers and warehouse keepers in the Madras Presidency to the Excise Officer in charge of the distillery or warehouse for the issue of a permit for the transport of country spirit;

¹(23*e*) to remit the fee chargeable on applications, petitions and copies filed, exhibited, recorded in, received or furnished, by village Courts under the Madras Village Courts Act (Madras Act I of 1889).

C.—Special for the Bombay Presidency only.

(24) to remit the fees chargeable under the Second Schedule on agreements required by rule 75 of the rules made by the Governor of Bombay in Council under clause (i) of section 214 of the Bombay Land-revenue Code (Bombay Act V of 1879);

²(25) to direct that the fee chargeable on a plaint presented under the Mamlatdars' Courts Act (Bombay Act III of 1876), shall not exceed eight annas;

(26) to reduce to a uniform rate of four annas per copy the fee chargeable under article 7 of the First Schedule on copies of decrees or orders having the force of a decree issued by Mamlatdars under the Mamlatdars' Courts Act (Bombay Act III of 1876);

(27) to remit the fees chargeable under article 1 of the Second Schedule on all applications made to a Collector or other Revenue-officer, or to the Chief Controlling Revenue-authority, by any of the undermentioned political pensioners, being the eldest sons or representatives of the ex-Amirs of Sindh and Sirdars of note:

District.	Number and Names of Pensioners.
Karachi	1. Jam Murad Ali, son of Jam Mehr Ali, Jokia.
Hyderabad	1. His Highness Mir Hasan Ali Khan, son of Mir Nasir Khan, Talpur.
	2. His Highness Mir Nur Muhammad Khan, son of Mir Hasan Ali Khan, Talpur.
	3. His Highness Mir Fateh Khan, son of Mir Sher Muhammad Khan, Talpur.

¹ Clauses (23*c*) to (23*e*) form the subject of separate Notifications, see No. 225-S. R., dated 11th January 1901, Gazette of India, 1901, Pt. I, p. 32, No. 6260-S. R., dated 12th December, 1901, Gazette of India, 1901, Pt. I, p. 1030, and No. 5563-F., dated the 7th September, 1911, Gazette of India, 1911, Pt. I, p. 752.

² Clause 25 is superseded by the amendment made in Article 4 of Schedule II of the Court-Fees Act, 1870, by the Repealing and Amending Act, 1891 (XII of 1891).

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Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

District.	Number and Names of Pensioners
Shikarpur	1. Mir Imam Bakhsh Khan, son of Mir Muhammad Hassan Khan.
	2. Mir Walidad Khan, son of Mir Muhammad Hasan Khan.
	3. Mir Ahmed Khan, son of Mir Muhammad Hasan Khan.
	4. Mir Fazl Hasan Khan, son of Mir Sohrab Khan
	5. 3rd Dehra of the late Mir Muhammad Hasan Khan.
	6. 1st Dehra of the late Mir Sohrab Khan.
	7. 2nd Dehra of the late Mir Sohrab Khan.
	8. Mir Najaf Ali Khan, walad Mir Ali Akbar Khan.
	9. Mir Abdul Kadir Khan, walad Mir Ali Akbar Khan.
	10. Mir Ali Madad Khan, son of Mir Nasir Khan.
	11. Mir Ali Ahmad Khan, walad Mir Nasir Khan.
	12. Bihi Vilayat, 2nd Dehra of the late Mir Nasir Khan.
	13. Chand Bibi, 3rd Dehra of the late Mir Nasir Khan.
	14. Naz Bibi, 2nd Dehra of the late Mir Muhammad Ali Khan.
	15. Mir Mubarak Khan, walad Mir Wali Muhammad Khan.
	16. Mir Gul Hasan, walad Mir Wali Muhammad Khan.
	17. Mir Khan Muhammad Khan, walad Mir Wali Muhammad Khan.
	18. Mir Yar Muhammad Khan, walad Mir Wali Muhammad Khan.
	19. Bihi Chana, 1st Dehra of Mir Wali Muhammad Khan.
	20. Mir Ali Bakhsh Khan, walad Mir Fazl Muhammad Khan.
	21. Mir Amir Bakhsh Khan, walad Mir Fazl Muhammad Khan.
	22. Mir Gulam Murtaza Khan, walad Mir Chakar Khan.
	23. Chief Dehra of the late Mir Ali Muhammad Khan.
	24. 2nd Dehra of the late Mir Ali Muhammad Khan.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

(28) to (30). [*Cancelled by Notification No. 501-F., dated the 6th May, 1913, see Gazette of India, 1913, Pt. I, p. 485.*]

(31) to remit the fees chargeable in respect of the documents specified in the First or Second Schedule in the case of suits instituted before village Munsifs under Chapter V of the Dekkhan Agriculturists' Relief Act, XVII of 1879;

(32) to (34) [*Cancelled by Notification No. 501-F., dated the 6th May, 1913, see Gazette of India, 1913, Pt. I, p. 485.*]

(35) to remit the fees chargeable on copies of documents furnished by a Court of Session or the High Court in the Presidency of Bombay, or by the Sadr Court in Sind, to a pleader appointed by the Court to defend a person accused of murder;

¹(35a) to remit the fees chargeable under article 1, clauses (b) and (c) of Schedule II, on applications made to a Collector or other Revenue-officer or to any Chief Controlling Revenue or Executive Authority for permission to cut and remove jungle wood for fuel or thorns for fencing from lands which are unalienated and unoccupied within the meaning of the Bombay Land Revenue Code;

²(35b) to remit the fees chargeable on certified copies of entries in record-of-rights maintained under the Bombay Land Record of Rights Act, 1903 (Bombay Act IV of 1903), and on application for such copies when required for filing in Court under section 10 (I) of the Act;

³(35c) to remit the fees chargeable (1) on applications made to the Excise Officer in charge of the distillery or warehouse for the issue of a permit for the transport of country spirits; (2) on applications made by the licensees of intoxicating drug shops for transport permits of duty-paid drugs;

⁴(35d) to remit the fees chargeable on certified copies of extracts from entries in records-of-rights maintained under the Bombay Land Record of Rights Act, 1903 (Bombay Act IV of 1903), when such copies are attached to applications for the execution of civil Court decrees;

¹ Clause (35a) forms the subject of a separate Notification No. 2325-S. R., dated 1st June, 1893, see *Gazette of India*, 1893, Pt. I, p. 311, and is inserted here in this form for convenience of reference.

² Clause (35b) forms the subject of Notification No. 4353-S. R., dated 20th July, 1903, see *Gazette of India*, 1903, Pt. I, p. 604, and of Notification No. 5319-S. R., dated 3rd September, 1903, *ibid*, p. 828, and is inserted here as clause (35b) for convenience of reference.

³ Clause (35c) forms the subject of a separate Notification and modifies an earlier Notification, see No. 243-F., dated the 15th July, 1912, *Gazette of India*, 1912, Pt. I, p. 770.

⁴ As to clause (35d), see Notification No. 4884, dated the 17th September, 1910, *Gazette of India*, 1910, Pt. I, p. 970.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

D.—Special for Bengal only.¹

(36) to remit in the hill tracts of Chittagong all the fees mentioned in the First and Second Schedules;

(37) to declare that the proper fee to be charged upon an application to deposit in any Court rent, not exceeding the sum of fifteen rupees, shall be as follows:

	Proper fees
If the amount deposited does not exceed Rs. 2-8	One anna
If the amount deposited exceeds Rs. 2-8, but does not exceed Rs. 5	Two annas
If the amount deposited exceeds Rs. 5, but does not exceed Rs. 10	Four „
If the amount deposited exceeds Rs. 10, but does not exceed Rs. 15	Six „

Provided that no fee shall be chargeable on an application to deposit rent in respect of which a fee is chargeable under any rule framed under sub-section (2) of section 61 of the Bengal Tenancy Act, VIII of 1885;

²(37*a*) to remit the fees chargeable on application by ryots in the Rajshahi district for licenses to cultivate the hemp plant;

³(37*b*) to remit the fees chargeable on applications or petitions of objection referring to any entry made or proposed to be made in a draft record-of-rights prepared under Chapter 10 of the Bengal Tenancy Act, 1885 (VIII of 1885), as amended by the Bengal Tenancy Act (Amendment) Act, 1898 (Bengal Act III of 1898): provided that such applications or petitions are presented before the publication of such draft record under section 103-A, sub-section (1) of the said Act;

⁴(37*c*) to remit the fees chargeable on certified copies of entries in records-of-rights furnished in accordance with any rules for the time being in force under the Bengal Tenancy Act, 1885 (VIII of 1885), after the final publication of such records-of-rights under section 103-A (2) of that Act;

⁵(37*d*) to reduce the fee chargeable on applications for the settlement of fair rents under section 85 of the Chota Nagpur Tenancy Act, 1903 (Bengal Act VI of 1903), to 8 annas for each tenant making or joining or

¹ Includes Bihar and Orissa and the Eastern Districts now reattached to the Presidency of Fort William in Bengal. As to Eastern Bengal, see also under *M*, p. 375, *infra*.

² Clause (37*a*) forms the subject of a separate Notification, No. 1013-S. R., dated 3rd March, 1897, see Gazette of India, 1897, Pt. I, p. 177, and is inserted here in this form for convenience of reference.

³ Clause (37*b*) forms the subject of a separate Notification, No. 321-S. R., dated 19th January, 1899, see Gazette of India, 1899, Pt. I, p. 31, and is inserted here in this form for convenience of reference.

⁴ Clause (37*c*) forms the subject of a separate Notification, No. 4634-Exc., dated 17th August, 1905, see Gazette of India, 1905, Pt. I, p. 605.

⁵ Clauses (37*d*) to (37*g*) form the subject of separate Notifications, namely, No. 4634-Exc., dated 30th July 1909, No. 5919-Exc., the 23rd November, 1909, No. 146-Exc., dated the 18th March, 1910, and No. 4174-Exc., dated the 9th August, 1910, see Gazette of India, 1909, Pt. I, pp. 534 and 1636, and *ibid*, 1910, pp. 248 and 771, respectively.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

joined in the application, a group of joint owners being treated as a single tenant;

¹(37e) to remit the fees chargeable on certified copies of entries in records-of-rights furnished under rules under the Chota Nagpur Tenancy Act, 1908 (Bengal Act VI of 1908), after first publication of such records;

¹(37f) to remit the fees chargeable on applications or petitions of objection in certain cases under the Chota Nagpur Tenancy Act, 1908 (Bengal Act VI of 1908);

¹(37g) to remit the fees chargeable on copies of documents printed by a District Magistrate in Bengal to a pleader appointed by the Court to defend a pauper accused of murder;

¹(37h) to reduce the fees chargeable under article 17 (ii), Schedule II of Act, on complaints relating to suits under section 106 of the Bengal Tenancy Act, 1885 (VIII of 1885), to the amount of an *ad valorem* fee under article I, Schedule I, when the amount of the fee would be less than annas ten.

E.—Special for the Province of Agra only.

(38) to reduce to eight annas the fee chargeable on a copy of any number of entries in a settlement record relating to any one village in Kumaon or Garhwal;

(39) to remit the fees chargeable on all documents filed, exhibited or recorded in, or received or furnished by, the Court of the Special Judge appointed under the Jhansi Encumbered Estates Act, XVI of 1882;

(40) to remit the fees chargeable on all documents connected with the proceedings in the Court of the Commissioner under the Jhansi Encumbered Estates Act, XVI of 1882, except on memoranda of appeal and on applications for revision of any decision or order of the Special Judge under Chapter VI of the said Act;

(41) to direct that the fee chargeable on any appeal against a decision of the Special Judge under Chapter VI of the Jhansi Encumbered Estates Act, XVI of 1882, shall not exceed eight annas;

NOTE.—For further special provisions affecting the Province of Agra, see heading K below.

¹See footnote 5 on pre-page.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

F.—*Special for the United Provinces only.*

¹(41a) to remit in the North-Western Provinces and Oudh the fees chargeable on—

- (a) applications presented to the Collector or any other officer empowered in this behalf by occupier of land to cultivate the hemp plant;
- (b) applications presented to the officers aforesaid by owners or occupiers of land on which the hemp plant grows spontaneously or by persons authorized by them in this behalf for licenses to collect and store such plant as *bhang*;
- (c) applications presented to the officers aforesaid by farmers and licensed wholesale vendors of intoxicating drugs authorized in this behalf under arrangements made with the owners and occupiers of land on which the hemp plant grows spontaneously for licenses to collect the produce as *bhang* and to remove it for sale;

²(41b) (1) to remit the fees payable on all documents filed, exhibited or recorded in, or received or furnished by, the Court of the Special Judge under the Bundelkhand Encumbered Estates Act, 1903 (U. P. Act I of 1903);

(2) to remit the fees payable on all documents connected with the proceedings in the Court of the Commissioner under the Act, except on memoranda of appeal and on applications for revision from orders of the Special Judge under Chapter VI thereof;

(3) to reduce the fee payable on any appeal against a decision of the Special Judge under Chapter VI of the Act;

³(41c) to remit the fees chargeable on notices of claims under section 6 (c) of the Indian Forest Act (VII of 1878) presented to Forest Settlement Officers in the district protected forests of the Kumaon Division of the United Provinces.

Special for the North-West Frontier Province.

⁴(41d) remitting the fees chargeable under section 35 of the Court-Fees Act, 1870 (VII of 1870), on copies of all records maintained under

¹ Clause (41a) forms the subject of a separate Notification, No. 3360-S. R., dated 7th August, 1896, Gazette of India, 1896, Pt. I, p. 604, and is inserted here in this form for convenience of reference.

² Clauses (41b) forms the subject of a separate Notification, and is inserted here in this form for convenience of reference.

³ Clause (41c) forms the subject of a separate Notification, No. 822-F., dated the 9th February, 1912, see

⁴ Clause (41d) forms the subject of a separate Notification, No. 5481-S. R., dated 15th October, 1902, Gazette of India, 1902, Pt. I, p. 753, and is inserted here in this form for convenience of reference.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII of 1870).

Reductions and Remissions of Court-fees—*contd.*

Chapter IV of the Punjab Land-revenue Act, 1887 (XVII of 1887), as in force in the North-West Frontier Province when filed, exhibited or recorded in any Court of Justice or furnished by any public officer.

G.—Special for the Punjab only.

(42) to remit the fees chargeable on copies of orders or proceedings under section 37 of the Punjab Land-revenue Act, XVII of 1887, made or recorded by Collectors or other Revenue-officers engaged in revising a record-of-rights under a notification published in accordance with section 32 of the said Act:

Provided that the copy is furnished for the purpose of being filed with an application or petition to a Collector or other Revenue-officer engaged as aforesaid in revising a record-of-rights or to the Commissioner of the division, or to the Financial Commissioner, Punjab, relating to matters connected with the assessment of land or the ascertainment of rights thereto, or interests therein, if presented previous to the final confirmation of such revision;

(43) to remit the fees chargeable on applications under section 97 of the Punjab Land-revenue Act, XVII of 1887, made by village officers in accordance with the provisions of rule 83 of the rules under that Act published with the Notification of the Punjab Government No. 76, dated the 1st March, 1888;

¹(43a) to remit in the territories administered by the Lieutenant-Governor of the Punjab the fees chargeable on plaints in suits brought against British subjects by Bhutanis ordinarily residing outside British India:—

- (i) for the recovery of debts;
- (ii) appertaining to the custody of a woman, or
- (iii) appertaining to inheritance;

²(43b) to remit in the territories administered by the Lieutenant-Governor of the Punjab the fees chargeable on copies of all records maintained under the provisions of Chapter IV of the Punjab Land-revenue Act, 1887 (XVII of 1887), when such copies are exhibited or recorded in any Court of Justice or are received or furnished by any public officer;

¹ Clause (43a) forms the subject of a separate Notification, No. 2807-S. R., dated 26th June, 1896, Gazette of India, 1896, Pt. I, p. 604, and is inserted here in this form for convenience of reference.

² Clause (43b) forms the subject of a separate Notification, No. 4283-S. R., dated 6th August, 1902, Gazette of India, 1902, Pt. I, p. 577, and is inserted here for convenience of reference.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII OF 1870).

Reductions and Remissions of Court-fees—*contd.*

H.—Special for Burma only.

¹(44) to remit the fees chargeable on the following documents furnished to cultivators, namely:

Certified copies of extracts from settlement or supplementary survey registers containing particulars of the holdings of cultivators;

²(45) to remit the fees chargeable in Upper Burma on plaints, applications, petitions and copies which are filed, exhibited or recorded in the Court of a circle officer, or in any Court presided over by a Thugyi or Myothugyi or which are received or furnished by a Thugyi or Myothugyi;

Explanation.—For the purposes of this clause the expression “Thugyi or Myothugyi” includes any person, however designated, who in any part of Upper Burma occupies a position similar to that which is held in other parts by a Thugyi or Myothugyi;

³(46) to remit in Lower Burma the fees chargeable on applications presented under section 45 of the Burma Land and Revenue Act (II of 1876), by Revenue-officers with a view to the realization of arrears of revenue;

⁴(46a) to remit in all parts of Burma, except the Shan States, the fees chargeable under section 35 of the Act, on applications presented to officers of land-revenue for the rectification of errors in the assessment of land-revenue.

NOTE.—For further special provisions affecting Burma, see heading K below.

I.—Special for the Central Provinces only.

⁴(47) to direct that the fee chargeable on a petition of objection to assessment under Act XIV of 1867 (An Act to provide for the assessment of the Pandhari-tax in certain parts of the Central Provinces) shall, whatever may be the amount of the assessment to which the petition relates, be limited to one anna;

¹ These clauses were substituted for clauses 44 to 46 by Notification No. 4724-S. R., dated 22nd October, 1897, Gazette of India, 1897, Pt. I, p. 856.

² Clause 46 forms the subject of a separate Notification, No. 2243-S. R., dated 22nd May, 1896, Gazette of India, 1896, Pt. I, p. 379, and is inserted here in this form for convenience of reference.

³ Clause (46a) forms the subject of a separate Notification, No. 4572-S. R., dated 2nd August, 1912, Gazette of India, 1902, Pt. I, p. 613, and is inserted here in this form for convenience of reference.

⁴ The Pandhari-tax has now been repealed and the tax abolished by Pandhari-tax. Act (Amendment) Act, 1902 (VI of 1902). This clause is now obsolete.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII of 1870).

Reductions and Remissions of Court-fees—*contd.*

¹(47a) to remit the fees chargeable on applications presented to courts in Central Provinces with reference to sections 257-A and 258 of the Code of Civil Procedure (Act XIV of 1882) in relation to awards made in the course of conciliation proceedings held with the sanction of the Local Government;

²(47b) to remit the fee chargeable on copies of documents furnished by a District Magistrate in the Central Provinces to a pleader appointed by the Court to defend a pauper accused of murder.

K.—Special for the Bombay Presidency, Bengal, the North-Western Provinces and Oudh, the Punjab, Lower Burma, the Central Provinces, Ajmer and Coorg.

³(48) to direct that, whenever, upon payment of the full fee, a certificate of administration has been granted under ⁴Act XL of 1858 (An Act for making better provision for the care of the persons and property of Minors in the Presidency of Fort William in Bengal), or ⁵Act XX of 1864 (An Act for making better provision for the care of the persons and property of Minors in the Presidency of Bombay) and a fresh certificate is for any reason subsequently granted in respect of the same estate, no fee shall be chargeable upon the fresh certificate so granted.

NOTE.—For special provisions affecting Bombay, Bengal, the North-Western Provinces, the Punjab, Lower Burma and the Central Provinces, see *supra*, headings C, D, E, F, G, and I, respectively.

L.—Special for Assam only.

⁶(49) to remit the duties chargeable on agreements or the counterparts of agreements in the course of arrangements made for the collection of land-revenue and cesses and on security bonds or mortgage deeds executed by persons who have entered into agreements to collect and pay in land-revenue and cesses or by their sureties to secure the due accounting for money collected by them under such agreements.

¹ Clause (47a) forms the subject of a separate Notification, No. 4064-S. R., dated 25th July, 1904, see Gazette of India, 1902, Pt. I, p. 550.

² Added by Notification No. 2724-Exc., dated the 27th May, 1910, Gazette of India, 1910, Pt. I, p. 143.

³ Clause 48 is now obsolete.

⁴ See now the Guardian and Wards Act, 1890 (VIII of 1890), Genl. Acts, Vol. V.

⁵ Clause 49 forms the subject of a separate Notification, No. 4598-S. R., dated 25th August, 1902, Gazette of India, 1902, Pt. I, p. 642, and is inserted here as a separate clause for convenience of reference.

See also under M, *infra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE COURT-FEES ACT, 1870 (VII of 1870).

*Reductions and Remissions of Court-fees—*conold.**

M.—Special for Eastern Bengal and Assam.

²(50) to remit the fees chargeable on applications for mutation of names in all Government estates.

²(51) to remit the fees chargeable on application for mutation of names in all Government estates in the districts of Dacca, Chittagong and Rajshahi divisions.

²(52) to reduce the fees chargeable under Schedule II, Art. 17 (iii), in plaints relating to suits under section 106 of the Bengal Tenancy Act, 1885 (VIII of 1885), to the *ad valorem* fee chargeable under Schedule I, Art. I, of the Act.

[See Gazette of India, 1889, Pt. I, p. 506.]

Fees chargeable under section 244 (c) of the Code of Civil Procedure (Act XIV of 1882).

No. 4344-S. R. (Judicial Stamps), dated 6th October, 1893.—In exercise of the powers conferred by section 35 of the Court-Fees Act, VII of 1870, and in supersession of the orders contained in clause (6) under heading A of the Notification in the Department of Finance and Commerce, No. 4650, dated the 10th September, 1889, the Governor General in Council is pleased to direct that the fee chargeable on appeals from orders under clause (c) of section 244 of the Code of Civil Procedure (Act XIV of 1882) shall be limited to the amounts chargeable under Article II of the Second Schedule to the Court-Fees Act, 1870.

[See Gazette of India, 1893, Pt. I, p. 575.]

Amendment of the Consolidated Notification under Act VII of 1870, clauses (4) and (15).

No. 1180-Exc., dated 24th February, 1905.—In exercise of the power conferred by section 35 of the Court-Fees Act, 1870 (VII of 1870), the Governor General in Council is pleased to remit the fees chargeable under Schedule II of the said Act on applications for copies of the documents detailed in clauses (4) and (15) of the Notification of the Department of Finance and Commerce, No. 4650, dated the 10th September, 1889.

[See Gazette of India, 1905, Pt. I, p. 117.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SPECIAL MARRIAGE ACT, 1872 (III OF 1872).

Transmission of returns under the Special Marriage and Parsi Marriage and Divorce Acts, 1865 and 1872, to Registrars-General under Act VI of 1886.

Resolution No. 1074-⁶₋₈₅ (Judicial), dated the 9th August, 1889.—In exercise of the powers conferred by section 13-A of Act III of 1872 (to provide a form of marriage in certain cases), and section 8-A of the Parsi Marriage and Divorce Act, 1865, the Governor General in Council is pleased to issue the following orders:—

Copies of entries in the Marriage Certificate Book prescribed in section 13 of Act III of 1872 and in the Register of Marriages referred to in section 6 of the Parsi Marriage and Divorce Act, 1865, which

Registrars* under these Acts are required to send to the Registrars-General of Births, Deaths and Marriages appointed under the Births, Deaths and Marriages Registration Act, 1886, shall be certified in the form set forth in the following schedule, and shall be sent at intervals of three months, on or as nearly as possible after the 1st January, April, July, and October, in each year.

Should no entries be made in a Marriage Certificate Book, or a Register of Marriages, as the case may be, during the preceding three months, a certificate to this effect shall be sent to the Registrar-General concerned.

SCHEDULE.

Form of Certificate of truth of copies of entries in Marriage Certificate Book under Act III of 1872 (or Register of Marriages under the Parsi Marriage and Divorce Act, 1865, as the case may be) to be sent to Registrar-General.

Certified that the above, which contains entries from No. _____ regarding _____ to No. _____ regarding _____, is a true copy of all the entries in the Marriage Certificate Book under Act III of 1872 (or Register of Marriages under Act XV of 1865, as the case may be) kept by me for the three months ending the _____ day of _____ 18_____

Dated the _____ of _____

(Signature.)

Registrar of Marriages under Act III of 1872 (or Registrar under the Parsi Marriage and Divorce Act, 1865, as the case may be) for (local area).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules.

Resolution No. 1446—1449-29, dated the 5th March 1914.—

1* * * * *

3. The Governor-General in Council is therefore pleased to direct that the following rules shall be substituted for those published in the Resolution of the Government of India in this Department, No. 4566—4569-251, dated the 27th June, 1910, and that they shall come into force with effect from the 1st April, 1914.

¹ Rules for the guidance of Depositors in Post Office Savings Banks.

ARRANGEMENT.

GENERAL.

Definitions, objects, etc.

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2. Object of Government in establishing Post Office Savings Banks.
3. Business hours.
4. Postal officials bound to secrecy.

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5. Persons who may deposit money.
- 6—11. Limitations as to opening accounts and deposits.

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- 12—15. Powers to withdraw money and limitations as to withdrawals.

Opening of accounts.

- 16—20. How to open an account.

Pass-books.

21. Pass-book and its importance.
 22. Loss of pass-book.
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¹ The omission is merely a recital of the reasons for the issue of these revised rules and has not the force of law.

² These rules were published while this volume was passing through the Press and have been reproduced as they supersede the Rules published in 1910.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

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46. Purchase of Government securities.

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48. Safe custody of Government Promissory Notes.

49—50. Interest on Government Securities.

ALTERATION OF RULES.

51. Power of Government to alter rules.

Definitions.

1. For the purposes of these rules—

Deposit means money paid into a Post Office Savings Bank by, or on behalf of, a depositor.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

Depositor means the person by whom, or on whose behalf, money is deposited.

Account means the account of a depositor in a Post Office Savings Bank.

Balance means the balance at credit of an account.

Minor means a person who has not completed the age of eighteen years.

Guardian includes a father, or, if the father be dead, a mother, or, if both parents be dead, and no guardian of the minor has been appointed, by will or deed or under any enactment for the time being in force in British India, any adult relation of the minor with or by whom the minor is residing or being maintained.

Director-General means the Director-General of the Post Office of India.

Postmaster-General means the chief postal authority in any province or place to which the system of Post Office Savings Banks is extended.

Accountant-General means Accountant-General, Post Office and Telegraphs.

Object of Government in establishing Post Office Savings Banks.

2. The object of Government in establishing Post Office Savings Banks is to provide a ready means for the deposit of savings, and so to encourage thrift. Savings Banks are not to be used for the purpose of keeping a current account, and the Accountant-General is empowered to close accounts, or, in the case of accounts opened on behalf of minors, to stop the receipt of further deposits, should he have reason to believe that the accounts are being used for a purpose for which the Savings Bank was not intended.

Business Hours.

3. Post Office Savings Banks will be opened for the transaction of business between the hours of noon and 4 P.M. every day, with the exception of Sundays, and other Post Office holidays. These hours may, under the authority of the Postmaster-General, be altered to suit local circumstances.

Postal Officials bound to Secrecy.

4. The officers of the Post Office engaged in the receipt or payment of deposits are not allowed to disclose the name of any depositor, or the

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V of 1873).

Post Office Savings Banks Rules—*contd.*

amount deposited or withdrawn by him, except to the Postmaster-General or other officers of the Department engaged in carrying out the provisions of these rules.

Persons who may deposit money.

5. Any person may deposit money in a Post Office Savings Bank (a) on his own behalf, or (b) on behalf of any minor relative, or (c) on behalf of any minor of whom he is the guardian.

Exception.—A Government official may not open an account on behalf of a minor of whom he is the official guardian.

Explanation.—Minors are allowed to deposit money in their own names, and women, whether married or single, are allowed to deposit money in their own names, but subject, in the case of married women, to the limitations laid down in rule 6 (3).

Limitations as to opening Accounts and Deposits.

6. (1) Any person may open an account in his own name, but may not have more than one such account open.

(2) In addition to the account which a person may open in his own name, he may open any number of separate accounts on behalf of any minors who are related to him or of whom he is the guardian, provided that he shall not open more than one account on behalf of each such minor.

(3) The fact that an account has been opened on behalf of a minor shall not prevent such minor from opening an account in his own name: nor shall the fact that a married man has an account in his own name prevent his wife from opening a separate account in her own name, provided the money to be deposited by her is her own property or earning.

NOTE.—If, through any cause, an account has been opened in contravention of the provisions of this rule, the depositor shall not be entitled to claim interest on the account, and the Accountant-General may require him to close it at once.

7. Deposits in trust are not allowed, and cannot be recognised.

8. Money cannot be deposited in the name of two or more persons jointly, provided that nothing in this rule shall prevent the deposit of money in the name of a known firm.

9. The smallest sum of money that can be deposited at any time is four annas; and no sum can be deposited that includes a fraction of an anna.

10. The total amount which may be deposited in any one official year—from the 1st April to the 31st of March inclusive—after deducting the amounts withdrawn during the year may not exceed ₹750.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

NOTE 1.—Amounts deposited and withdrawn for purposes of immediate investment, will not be taken into account in applying the annual limit of Rs. 750.

NOTE 2.—When an account is transferred from one Post Office Savings Bank to another, only such portion of the amount so transferred as was deposited and withdrawn in the current official year shall be included in calculating the limit of Rs. 750 prescribed in this rule.

11. The total amount at call which a depositor may have at any time, exclusive of interest for the current year, is Rs. 5,000 in the case of an adult and Rs. 1,000 in the case of an account opened on behalf of a minor by his relative or guardian.

NOTE.—The maximum balance of Rs. 5,000 (or Rs. 1,000 if the account was opened on behalf of a minor) may be increased by the addition from year to year of interest calculated on the maximum limit of Rs. 5,000, or Rs. 1,000 as the case may be, and also by interest on investments, credited under rule 49.

Powers to withdraw money and limitations as to withdrawals.

12. A depositor may withdraw money from his account only once a week. By the term "week" is meant the period from Monday to Saturday, both days inclusive. A depositor may, therefore, withdraw money from his account on Saturday and again on the following Monday.

13. A minor may only withdraw money deposited by him in his own name. Money deposited on behalf of a minor may only be withdrawn during his minority by his guardian.

14. Women, whether married or single, may withdraw money deposited by them in their own names; and married women may also withdraw money deposited by them as single women, in their own names, their marriage notwithstanding. The fact that a female minor, on whose behalf money has been deposited, is married, or becomes married after the account has been opened on her own behalf, shall not prevent her from withdrawing the money so deposited on attaining majority.

15. A depositor may not withdraw a smaller sum than four annas, and he may not withdraw any sum which includes a fraction of an anna unless it be to close his account, in which case he may withdraw the whole balance at his credit.

How to open an Account.

16. Any person wishing to open an account should apply to the nearest post office that is a Savings Bank. Application need not necessarily be made in person; but the applicant must state his name and address. If he be an Indian he must also state his father's name and caste.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

17. The intending depositor must sign a declaration, in the following form, that he has read and accepted the Post Office Savings Bank rules. If he is unable to write, he must attend personally, and, in the presence of a witness, affix his mark or seal to the declaration, to be attested by the signature of the witness. If he should apply in person, a copy of these rules will be given to him to read or they will be read and explained to him, should he be unable to read. If he should not apply in person, a copy of these rules with the form of declaration will be sent to him, and he must present the declaration duly signed, with the first deposit.

Form of declaration to be signed by depositor on making first deposit.

“ I hereby declare that the Post Office Savings Bank Rules have been read { *by me* } and that I accept them as binding upon me.
 { *to me* }

“ I further declare that I have no account opened by me on my own behalf at any Post Office Savings Bank.”*

18. Women may open accounts in their own names through their agents or, if they are married women, through their husbands or agents. The agent or husband will be required to produce a letter of authority in the prescribed form from the depositor and to sign the declaration that the depositor understands and accepts the rules. No postal official may under this rule be the agent of any woman, except his own wife, in respect of an account held in the post office in which he is employed.

19. When the declaration is presented, duly signed, with the amount of the first deposit, or when it has been signed by a depositor attending in person to make a deposit, the amount of the deposit will be entered in a pass-book which will be supplied to the depositor, and the entry will be initialled by the postmaster and stamped with the office stamp. The depositor will be required to sign a receipt for the pass-book.

20. If the account be opened at a sub or branch post office, the pass-book for the depositor will have to be obtained from the head office. A preliminary receipt for the amount of the first deposit will, therefore, be given to the depositor, who will be informed of the date on which he should call to receive the pass-book. When the pass-book is handed over to the

* NOTE.—The latter sentence is to be scored through in the case of an account opened on behalf of a minor, in which case, the person opening the account must make the following further declaration :—

“ I declare that I have no account on behalf of the minor at any Post Office Savings Bank.”

“ I declare that the minor was born on (date by—Christian era as nearly as can be ascertained).”

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

depositor, he will be required to return this preliminary receipt and to sign a receipt for the pass-book. The amount of the original deposit will be entered in the pass-book by the head office, and the depositor will therefore have a guarantee that the sum has been received in that office. He should be careful to see that the entry in the pass-book corresponds with the amount entered in the preliminary receipt before giving up the latter.

Pass-book and its importance.

21. The pass-book will show, in the vernacular of the district or in English, as the depositor may wish, the number of his account, with the name of the office from which the book is issued, his own name and address. No deposit can be made and no money can be withdrawn from an account without its production, and the Post Office will not be responsible for any sum not acknowledged in the pass-book. Depositors should carefully examine their books before leaving the office, and ascertain that the entries are correct. They should also be careful to keep their pass-books in their own possession, as the Post Office does not accept responsibility for any loss caused to a depositor, if, through his negligence, any person shall obtain possession of the book and fraudulently obtain the payment of any sum belonging to the depositor.

NOTE.—In the case of an account opened at a sub or branch post office, the pass book will be sent to the head office as soon as possible after the 30th April, when the pass-book is presented for entry of interest under rule 30. The depositor will obtain a receipt in exchange for his pass-book, and he must give up this receipt when his pass-book is returned to him.

Loss of Pass-book.

22. No charge will be made for the pass-book at first supplied to a depositor, or for any book issued to him in continuation of the original book which will be retained by the post office. But if a pass-book be lost or spoiled (except under circumstances over which the depositor has no control), or if any account be re-opened with the permission of the Accountant-General (under rule 35), before the expiration of three months from the date of closure, the depositor will have to pay one rupee for a fresh book.

Mode of depositing money after an Account has been opened.

23. (1) A depositor may deposit money at the post office at which his account stands as often as he wishes, so long as the prescribed yearly and maximum limits are not exceeded. All that he is required to do is to take or send the amount to be deposited, with his pass-book, to the post office. The amount of his deposit will be entered in the pass-book, and the balance struck as shown below. The entry will then be

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

initialled by the postmaster and stamped with the date-stamp of the office, and the pass-book will be returned to the depositor or his messenger:—

Date.	Date-stamp of the post office.	Amount of each deposit or withdrawal (to be entered in words).	Amount deposited.	Amount withdrawn.	Balance at credit of the depositor.	Initials of the postmaster.
1873.			Rs. a. p.	Rs. a. p.	Rs. a. p.	
3rd April	Deposited ten rupees	10 0 0	...	10 0 0	A.B.C.
5th „	Deposited twenty-five rupees.	25 0 0	..	35 0 0	A.B.C.
12th May	Withdrawn three rupees.	...	3 0 0	32 0 0	A.B.C.

(2) A depositor whose account stands at a head office may deposit money at any of the sub-offices under that head office which are Savings Banks, and a depositor whose account stands at a sub-office may deposit money at the head office of the sub-office or at any of the sub-offices of the head office which are Savings Banks. Similarly, a depositor at a branch office may deposit money at the office to which it is subordinate, and if such office is a sub-office, he may also deposit money at the head office of such sub-office. With these exceptions a depositor may deposit money only at the post office at which his account stands.

NOTE 1.—No deposit may be made to an account which has been ordered to be closed.

NOTE 2.—No deposit may be made to an account opened on behalf of a minor after he has attained the age of 18 years.

24. If the amount be deposited at a sub or branch post office, the depositor will receive in addition to the receipt in his pass-book, an acknowledgment from the head office, which will generally be the office at the head-quarters station of the district. This acknowledgment will be delivered to him in ordinary course through the post office. If it should not reach the depositor in proper time, or if, when it reaches him, it should show any signs of erasure, or should not agree with the entry in the pass-book, the depositor should immediately apply to the postmaster of the head office, the name of which is in the pass-book, and renew his application again and again until he receives a satisfactory reply.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS-BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

Mode of withdrawing money.

25. When a depositor wishes to withdraw money he must present his pass-book personally or by agent at the post office at which his account stands, with a printed form of application for withdrawal, which can be obtained at the post office, signed by himself, and showing the balance at his credit and the amount which he wishes to withdraw. If the pass-book and application for withdrawal are presented by an agent, the name and signature of the agent should be entered in the application for withdrawal before it leaves the depositor's custody, and in any case the entries must be made before the application is presented at the post office. If the depositor is unable to write, he must attend personally and affix his mark or seal to the application. Should he be absolutely unable to attend personally, he must have his mark or seal affixed to the application and attested by some respectable witness, and the postmaster will make payment to the person presenting his application with the pass-book, after satisfying himself, by such inquiry as he may think proper, of the inability of the depositor to attend and of the genuine character of the application. The mark or seal of a depositor or messenger who cannot write must, at the time he receives payment of a withdrawal, be attested by the signature of a respectable witness (other than the paying officer) who is personally acquainted with the depositor or messenger (as the case may be) and also known to the postmaster or some member of the post office establishment.

NOTE 1.—If a depositor desires to withdraw the whole of the balance shown to his credit in his pass-book he will be required to close his account.

NOTE 2.—In the case of withdrawals made from the accounts of female depositors by their authorised agents under rule 13, the agent must sign the following certificate on the application for withdrawal :—' Certified that the depositor is on this day alive and sane '

26. Should any person other than the father, or if the father is dead, the mother, wish to withdraw money from an account opened on behalf of a minor and claim to do so as guardian of such minor, he will be required to fill in, on a form prescribed by the Director-General, answers to the following questions and such other questions as may be considered necessary, and will only be allowed to withdraw money on the order of the Postmaster-General in accordance with rule 41 :—

(a) What is your relationship to the minor?

(b) Is the father or mother of the minor dead, or are both parents dead? What near relatives of the minor are alive?

(c) Have you been appointed guardian of the minor by will or deed or under any enactment in force in British India? (If the reply to this question is in the affirmative, the applicant should produce the documents on which he relies to support his claim.)

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

- (d) Are you an adult relative of the minor, and does he reside with you or is he maintained by you?

NOTE.—Every application for withdrawal from a minor's account must bear a certificate, in one or other of the forms given below,—according to the circumstances of the case—signed by the person making the application :—

- (i) In case of withdrawal from a male minor's account—" Certified that the amount sought to be withdrawn is required for the use of the minor."
- (ii) In case of withdrawal from a female minor's account by her husband—" Certified that the amount sought to be withdrawn is required for the use of the minor who is my legally married wife."
- (iii) In case of withdrawal from a female minor's account by any other person—" Certified that the amount sought to be withdrawn is required for the use of the minor, who is $\frac{\text{married}}{\text{not married}}$."

27. The amount to be withdrawn will be entered in the pass-book and a fresh balance struck, as in the case of a deposit, against the initials of the postmaster and an impression of the date-stamp of the office. The amount will then be paid to the depositor or to the person presenting the pass-book and application, and his receipt taken, in all cases free of stamp duty, on the warrant of payment.

28. (1) The payment of a withdrawal at a sub-post office is subject to the condition that funds are available in the office. If funds are not available, they will be obtained as soon as possible. In such a case the depositor will be informed of the date on which he should come to the post office to receive payment, and he will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(2) Every application for a withdrawal at a branch post office will be sent to the head or sub-office to which the branch office is subordinate, for a warrant of payment. The depositor will be informed of the date on which he should come to the branch office to receive payment and he will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(3) Payment at sub and branch offices will be made to the depositor or other person presenting the pass-book under the conditions laid down in rule 25, and his receipt will be taken, in all cases free of stamp duty, on the warrant of payment. The transaction will be entered in the pass-book against the initials of the sub or branch postmaster and an impression of the date-stamp of the office.

NOTE.—In the case of an application to withdraw from (a) a minor's account, (b) a security deposit account, (c) any of the conjoint accounts specified in rule 44, payment cannot, in any circumstances, be made until a warrant of payment is received from the head office.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

Interest.

29. Interest will be allowed, until further orders, at the rate of 3 per cent per annum on all deposits, subject to the condition stated in this rule. This interest will be allowed for each calendar month on the lowest balance at credit of an account between the close of the fourth day and the end of the month: provided that interest shall be allowed only on sums of complete rupees, and that it shall be calculated to the nearest pie: provided also that interest shall not be allowed on any sum in excess of Rs5,000 (or of Rs1,000, if the account was opened on behalf of a minor).

NOTE 1.—When an order has been issued to close an account, interest ceases to accrue from the first day of the month in which the order is issued (*see* end of rule 33).

NOTE 2.—Interest on the account of a deceased depositor ceases to accrue from the first day of the month in which notice is issued to the person or persons recognised by the Postmaster-General as entitled to receive the balance of the account. No interest will be allowed on money deposited after his death in the account of a deceased depositor.

30. The interest calculated as above for each month will be added each year to the balance of each account. Depositors should present their pass-books as soon as possible after the 30th April, in order that the necessary entries may be made in them. If the pass-book be not presented for this purpose, the entry will be made on the next occasion when a deposit is made or when money is withdrawn.

NOTE 1.—Pass-books of depositors in sub and branch post offices will be sent to the head office for the entry of interest under this rule.

NOTE 2.—No balance will be struck in the pass-book after the 31st March until interest has been added for the past year.

Transfer of Accounts.

31. A depositor may have his account transferred, free of charge, to any post office that is a Savings Bank, *provided that the account shall have been in existence for at least three months from the date on which it was originally opened.* If he should wish to transfer his account, he must present his pass-book personally, or send it to the post office, and must in either case make a written application for transfer. The pass-book will be returned to the depositor (*but see* Note 3 below), who should present it as soon as possible at the post office to which his account has been transferred, with a specimen of his signature.

NOTE 1.—Accounts cannot be transferred from one head post office to another between the 16th and 31st March, both days inclusive.

NOTE 2.—Accounts ordered to be closed cannot be transferred; nor can an account be transferred after the death of the depositor.

NOTE 3.—The pass-book of a depositor in a sub or branch post office who wishes to transfer his account will first be sent to the head post office to which the sub or branch office is subordinate to have the orders authorising the transfer entered in the book.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

- (d) Are you an adult relative of the minor, and does he reside with you or is he maintained by you?

NOTE.—Every application for withdrawal from a minor's account must bear a certificate, in one or other of the forms given below,—according to the circumstances of the case—signed by the person making the application:—

- (i) In case of withdrawal from a male minor's account—" Certified that the amount sought to be withdrawn is required for the use of the minor."
- (ii) In case of withdrawal from a female minor's account by her husband—" Certified that the amount sought to be withdrawn is required for the use of the minor who is my legally married wife."
- (iii) In case of withdrawal from a female minor's account by any other person—" Certified that the amount sought to be withdrawn is required for the use of the minor, who is ^{married} _{not married}."

27. The amount to be withdrawn will be entered in the pass-book and a fresh balance struck, as in the case of a deposit, against the initials of the postmaster and an impression of the date-stamp of the office. The amount will then be paid to the depositor or to the person presenting the pass-book and application, and his receipt taken, in all cases free of stamp duty, on the warrant of payment.

28. (1) The payment of a withdrawal at a sub-post office is subject to the condition that funds are available in the office. If funds are not available, they will be obtained as soon as possible. In such a case the depositor will be informed of the date on which he should come to the post office to receive payment, and he will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(2) Every application for a withdrawal at a branch post office will be sent to the head or sub-office to which the branch office is subordinate, for a warrant of payment. The depositor will be informed of the date on which he should come to the branch office to receive payment and he will retain his pass-book. The amount will be paid on presentation of the pass-book on the date mentioned or any subsequent date within one week from that date.

(3) Payment at sub and branch offices will be made to the depositor or other person presenting the pass-book under the conditions laid down in rule 25, and his receipt will be taken, in all cases free of stamp duty, on the warrant of payment. The transaction will be entered in the pass-book against the initials of the sub or branch postmaster and an impression of the date-stamp of the office.

NOTE.—In the case of an application to withdraw from (a) a minor's account, (b) a security deposit account, (c) any of the conjoint accounts specified in rule 44, payment cannot, in any circumstances, be made until a warrant of payment is received from the head office.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).****Post Office Savings Banks Rules—contd.***Interest.*

29. Interest will be allowed, until further orders, at the rate of 3 per cent per annum on all deposits, subject to the condition stated in this rule. This interest will be allowed for each calendar month on the lowest balance at credit of an account between the close of the fourth day and the end of the month: provided that interest shall be allowed only on sums of complete rupees, and that it shall be calculated to the nearest pie: provided also that interest shall not be allowed on any sum in excess of ₹5,000 (or of ₹1,000, if the account was opened on behalf of a minor).

NOTE 1.—When an order has been issued to close an account, interest ceases to accrue from the first day of the month in which the order is issued (*see* end of rule 33).

NOTE 2.—Interest on the account of a deceased depositor ceases to accrue from the first day of the month in which notice is issued to the person or persons recognised by the Postmaster-General as entitled to receive the balance of the account. No interest will be allowed on money deposited after his death in the account of a deceased depositor.

30. The interest calculated as above for each month will be added each year to the balance of each account. Depositors should present their pass-books as soon as possible after the 30th April, in order that the necessary entries may be made in them. If the pass-book be not presented for this purpose, the entry will be made on the next occasion when a deposit is made or when money is withdrawn.

NOTE 1.—Pass-books of depositors in sub and branch post offices will be sent to the head office for the entry of interest under this rule.

NOTE 2.—No balance will be struck in the pass-book after the 31st March until interest has been added for the past year.

Transfer of Accounts.

31. A depositor may have his account transferred, free of charge, to any post office that is a Savings Bank, *provided that the account shall have been in existence for at least three months from the date on which it was originally opened.* If he should wish to transfer his account, he must present his pass-book personally, or send it to the post office, and must in either case make a written application for transfer. The pass-book will be returned to the depositor (but *see* Note 3 below), who should present it as soon as possible at the post office to which his account has been transferred, with a specimen of his signature.

NOTE 1.—Accounts cannot be transferred from one head post office to another between the 16th and 31st March, both days inclusive.

NOTE 2.—Accounts ordered to be closed cannot be transferred; nor can an account be transferred after the death of the depositor.

NOTE 3.—The pass-book of a depositor in a sub or branch post office who wishes to transfer his account will first be sent to the head post office to which the sub or branch office is subordinate to have the orders authorising the transfer entered in the book.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

NOTE 4.—When an application for the transfer of an account of a female depositor is made by her authorised agent, the agent must certify as follows above his signature on the application for transfer—"Certified that the depositor is on this day alive and sane."

Closing an Account.

32. When a depositor wishes to close his account, he must present his pass-book with a form of application for withdrawal of the amount shown at his credit in the pass-book. The amount of interest due on his account up to the end of the calendar month preceding the date of presentation will be entered in the pass-book, and a final balance struck. The amount will then be paid to the depositor, and his receipt taken on the warrant of payment. The pass-book will be retained in the post office. If the application to close an account be presented at a sub or branch office, the same procedure will be followed as in the case of an ordinary withdrawal, except that the pass-book will be retained, and that the application and pass-book will, when interest is due, be in all cases sent to the head office for the warrant of payment.

NOTE.—The rule (*see* rule 12) which prevents a depositor from withdrawing money from his account more than once a week does not apply to the closing of an account, that is to say, an account may be closed within the week in which a withdrawal has been made.

33. If an order to close an account be issued by the Postmaster-General or the Accountant-General under these rules, notice in writing will be sent to the depositor requiring him to present his pass-book and receive payment of the balance at his credit as soon as convenient. After the date of such notice, no deposit will be accepted on the account, and no interest will be allowed upon the balance after the end of the calendar month preceding such date.

34. An account opened on behalf of a minor must, if still open, be closed by the person on whose behalf it was opened, on his attaining the age of 18 years. When the late minor is not in India and delay would cause substantial hardship, the Postmaster-General may allow the late guardian to close the account (on behalf of the late minor) on his indemnifying the Post Office against loss from any future claim. If a minor after attaining the age of 18 years still remains a minor by law or order of a court of justice, his guardian must close the account on the minor completing 18 years of age. Interest on an account opened on behalf of a minor ceases to accrue from the first day of the month in which the minor attains the age of 18 years.

Re-opening an Account.

35. A depositor who has once closed an account cannot open another account until after the expiration of three months from the date of closure

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

without the permission of the Accountant-General; and a depositor whose account has been closed by order cannot open a fresh account in any case without the permission of the authority which ordered it to be closed.

Dead Accounts.

36. Accounts in respect of which no transactions have taken place for the period specified below will be treated as "dead" and no subsequent deposit or withdrawal will be allowed in the case of such accounts without the previous orders of the Accountant-General:—

When the balance of the account		And when no sum has been deposited or withdrawn and no interest added for	
does not exceed	Rs. 10 . . .	3 complete years.	
" "	" 100 . . .	6 " "	
exceeds	" 100 . . .	12 " "	

NOTE 1.—By "transaction" in this rule is meant not only a deposit or withdrawal, but also the presentation of the pass-book for the entry of interest.

NOTE 2.—A dead account does not lapse to Government, but may be re-opened at any time on the application of the depositor, and the interest that has accumulated will be added to the principal when the account is revived.

Procedure to be followed in cases of Succession and Guardianship.

37. If a depositor should die, leaving in a Post Office Savings Bank a balance, whether in cash or in Government securities, or both, not exceeding one thousand rupees, and if probate of his will, or letters of administration of his estate, or a certificate granted under Act VII of 1889, be not produced to the Postmaster-General within three months of the death of the said depositor, the Postmaster-General may pay the said sum of money to any person appearing to him to be entitled to receive it or to administer the estate of the deceased.

NOTE.—If the deceased depositor was a minor in whose name more accounts than one stand open, the balances at credit of all these accounts will be added together for the purpose of applying this rule.

38. Balancees, whether in cash or Government securities, or both, in excess of Rs. 1,000 may only be paid on production of probate, letters of administration, or a certificate under Act VII of 1889, unless otherwise ordered by the Director-General, who has discretionary power to dispense with such evidence in cases where he is of opinion that to require it would cause hardship, and that to dispense with it would involve no appreciable risk. If the balance in excess of Rs. 1,000 be that of a cash deposit account opened on behalf of a deceased minor—the balance of which, excluding interest, cannot under these rules exceed Rs. 1,000—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873. (V OF 1873).

Post Office Savings Banks Rules—*contd.*

the discretionary power may be exercised even, if the condition of hardship be not established.

NOTE.—In the case of a deceased minor on whose behalf more accounts than one have been opened, and the total balance (excluding interest for the current year) at credit of these accounts exceeds Rs. 1,000 the *first sentence* of this rule will apply.

39. If any depositor becomes insane or otherwise incapable of managing his affairs, and if such insanity or incapacity be proved to the satisfaction of the Postmaster-General, then the Postmaster-General may, from time to time, make payment out of the deposits to any proper person. Where a committee or manager has been duly appointed to administer the depositor's estate, nothing in this rule authorises payments to any person other than such committee or manager.

40. The deposits of non-commissioned officers and soldiers of the British Army who die intestate, desert, or become insane or otherwise incapable of managing their affairs, will be made over, on application, to the President of the Committee of Adjustment, or to the legal representative of the deceased as defined in section 29, Regimental Debts Act, 1893 (56 Vict., Ch. 5).

41. When any person other than the father, or, if the father is dead, the mother claims to withdraw money from an account opened on behalf of a minor as being the guardian of such minor, the Postmaster-General may authorise the applicant to withdraw money from the account for the minor's use, in accordance with the following rules:—

- (a) Where the applicant claims to be guardian under the law, on production of proof of the claim to the satisfaction of the Postmaster-General.
- (b) Where the applicant claims as guardian duly appointed by will or deed, on production of the documents supporting the claim.
- (c) Where the amount of the account does not exceed Rs. 250 and the applicant does not claim to be guardian under clause (a) or clause (b), upon his giving evidence to the satisfaction of the Postmaster-General that he (the applicant) is the guardian of the minor.
- (d) Where the amount of the account exceeds Rs. 250 and the applicant does not claim to be guardian under clause (a) or clause (b), upon the applicant producing a certificate of administration granted under Act VIII of 1890.
- (e) In any case of doubt the applicant (not being the father or mother of the minor) may be required to produce a certificate of administration, under Act VIII of 1890, before payment is made to him.

NOTE.—An authority given by the Postmaster-General under (c) will not hold good for a subsequent withdrawal if the balance of the account then exceeds Rs. 250.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

Public Accounts.

42. The following special conditions govern the opening of "Public Accounts" and their transactions:—

- (a) Accounts may be opened by secretaries, treasurers, or managers of the funds of any dispensary, church or other religious institution, school, orphanage, asylum or library, or of any other funds contributed, for purposes other than the private or personal advantage or amusement of the contributors. Race, racquet, billiard, mess and similar funds, the objects of which are of a private or personal nature, cannot be allowed accounts.

Illustration.—The funds of regimental and public bands, which are maintained for purposes other than private advantage or amusement, are admissible.

Explanation (1).—A library fund is admissible, even though the library is open only to subscribers.

(2).—If an institution has two or more distinct funds which cannot, under their constitution and in accordance with the conditions imposed by the donors, be amalgamated, an account is admissible for each such fund.

(3).—The prohibition of current accounts when applied to a public account extends only to the use of the account for full details of the income and expenditure of the fund and does not prevent the periodical credit of subscriptions or other receipts, or the periodical withdrawal of money for expenditure; e.g., a building fund raised for the erection of a church or charitable institution is admissible.

- (b) Secretaries, treasurers, or managers of Societies registered under the Co-operative Societies Act, 1912 (II of 1912), or under similar enactments in force in Native States, as well as liquidators of Co-operative Societies appointed as such under the provisions of section 42 of Act II of 1912, may be allowed accounts.

- (c) Secretaries and managers of benevolent funds (that is, funds formed by mutual subscription as an insurance against domestic misfortune) may be allowed accounts.

- (d) Officers of Government or of public institutions, such as railway and steamer companies, and the like, who collect subscriptions, voluntary or departmental, from their subordinates for departmental purposes, may be allowed accounts.

Explanation—For the purpose of this rule, the term "Officers of Government" includes any officer of the Government of a Native State the Posts of which have been amalgamated with the Imperial Post.

- (e) Public accounts of the kind specified above must be designated by names indicating the objects to which the money is devoted, as *A-pore Dispensary Fund, Workmen's Sick Fund, etc.*, and information must be given in writing regarding the object and source of income of the fund.

General Rules and Orders made under General
Part II.—General the Governor General in Council—*contd.*
Acts of _____

POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

THE POST OFFICE SAVINGS BANKS RULES—*contd.*

- new public account must be authorised by the Postmaster-General before it is opened. The Postmaster-General is empowered to direct that a public account be closed should its object at any time be such that the account could not, under the rules, be opened as a public account.
- (f) In every case in which the holder of a public account, other than a public account held by an officer of Government in his official capacity, is changed, a fresh declaration (*see* rule 17) must be filled up.
- (g) Any person from opening more than one *ex-officio* or public account.
- (h) A prohibition against deposits in the name of two or more persons jointly (*see* rule 8) does not apply to public accounts.
- (i) The annual limit of Rs. 750 and the maximum limit of Rs. 5,000 for deposits (*see* rules 10 and 11), as well as the maximum limit of Rs. 5,000 for calculation of interest (*see* rule 29), do not apply to public accounts. But no public account may have at any time more than Rs. 10,000 at its credit, exclusive of interest for the current year, and no interest will be credited on any sum in excess of Rs. 10,000.
- (j) The amount of withdrawals within a calendar month from a public account is limited to Rs. 1,000, unless the person who holds the account gives notice to the post office at which the account stands of his intention to make additional withdrawals. The notice must specify the amount to be withdrawn and be given one month in advance by means of an ordinary letter addressed to the postmaster which should specify the date on which it is intended to make the withdrawal, and if it is intended to withdraw the amount in two or more instalments, specific information must be given in the notice as to the number of instalments and the amount and date of withdrawal of each instalment.

NOTE.—The period of the notice prescribed above may in the case of public accounts clause (b) of this rule be reduced by the Postmaster-General by general or special order.

- (l) In the form of declaration (*see* rule 17), which every intending depositor is required to sign, the words "I further declare that I have no account opened by me on my own behalf at any Post Office Savings Bank" should be scored through in the case of a public account.

account may be allowed for money—

13. No which is the property of Government, or

(a) w

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

- (b) which has been received for credit of Government, or
- (c) which has been drawn from the Treasury for expenditure on account of Government, or
- (d) which is raised by taxation, either local or municipal, or
- (e) which is collected or received or held in trust by any public officer or court in accordance with any law, provided that the money is the property of Government.

NOTE 1.—Nothing in this rule prevents the opening of a public account for money which is not the property of Government by the managers of funds held in trust for the relief of the poor, for the provision of education or medical relief, or for the advancement of any other object of general public utility, irrespective of whether such managers are public officers or not.

NOTE 2.—Nothing in this rule prevents the opening of an account for a judicial deposit in accordance with a special order passed by a court of law in a particular case directing the investment of the money in the Post Office Savings Bank. Such an account, when admitted, is subject in every respect to the rules and limitations which govern ordinary private accounts.

Regimental, Police, and other Conjoint Accounts.

44. The following special conditions govern the opening of the conjoint accounts specified below and their transactions:—

- (a) The Commanding Officer of a Native Regiment may open a single account with the Post Office Savings Bank on account of the men of his regiment making his own arrangements about the separate accounts of the individuals, and about the distribution to them of the interest credited upon the conjoint account. In other respects the account shall, except when the contrary is stated, be subject to the general rules for other accounts. The Commanding Officer must, when opening the account, sign a certificate, that, to the best of his belief, the money is the property of the men of the regiment.
- (b) District Superintendents of Police, and officers in command or charge of any Police Force, may open similar accounts on account of the men of the Police Force under their command or charge.
- (c) Chairmen of District Boards and Municipalities are also allowed to have similar accounts on account of servants of such Boards and Municipalities, in accordance with rules which may be sanctioned from time to time by Local Governments.
- (d) Managers of Provident Funds authorised by Government in connection with Courts of Wards and other institutions

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

administered or controlled by Government are also allowed to open similar accounts on behalf of non-pensionable employes paid from the funds of the Courts, of Wards or other institutions in accordance with rules which may from time to time be sanctioned by Local Governments or Administrations.

- (e) Secretaries of Cantonment Committees are also allowed to open similar accounts on behalf of non-pensionable employes paid from cantonment funds, in accordance with rules which may from time to time be sanctioned by the Government of India.

NOTE.—Nothing in this rule shall be held to prevent any member of any of the above mentioned classes of persons, for whom a conjoint account has been opened, from opening an account of his own, in his individual capacity.

- (f) The annual limit of Rs. 750 and the maximum limit of Rs. 5,000 for deposits (*see* rules 10 and 11), as well as the maximum limit of Rs. 5,000 for calculation of interest (*see* rule 29), do not apply to accounts opened under this rule.
- (g) Except with the special sanction of the Director-General, the amount of withdrawals within a calendar month from an account opened under this rule is limited to Rs. 1,000, unless the person who holds the account gives notice to the post office at which the account stands of his intention to make additional withdrawals. The notice must specify the amount to be withdrawn and be given one month in advance, by means of an ordinary letter addressed to the postmaster which should specify the date on which it is intended to make the withdrawal, and if it is intended to withdraw the amount in two or more instalments, specific information must be given in the notice as to the number of instalments and the amount and date of withdrawal of each instalment.
- (h) In the form of declaration (*see* rule 17), which every intending depositor is required to sign, the words "I further declare that I have no account opened by me on my own behalf at any Post Office Savings Bank" should be scored through in the case of accounts opened under this rule.

Security Deposit Accounts.

45. The following special conditions govern the opening of security deposit accounts and their transactions:—

- (a) Government servants, servants of railway companies, of local authorities and of courts of wards who are required by their

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).****Post Office Savings Banks Rules—*contd.***

employers to deposit security, contractors who are required by Government or local authorities to deposit security, and persons who are authorised under section 202 of the Sea Customs Act, VIII of 1878, to act as agents for the transaction of business in any custom house on behalf of the public, and are required under that section to deposit security, may be allowed separate accounts for the security deposit only.

Explanation—For the purpose of this rule, the term "Government servants" includes any servant of the Government of a Native State the Posts of which have been amalgamated with the Imperial Post.

NOTE.—Local authority means any body corporate, municipal committee, or other persons legally entitled to the control or management of any local or municipal fund or legally entitled to impose any cess, rate, duty or tax upon any persons within any local area.

- (b) A person undertaking more than one work or contract at the same time may be allowed a separate account in respect of each.
- (c) The maximum limit for each separate account is Rs. 500, and the amount may be deposited in a single sum or by instalments.
- (d) A person may open a security deposit account either in his own behalf or on behalf of another person. More than one account, however, may not be opened as security for the same person in respect of the same work or contract.
- (e) A security deposit account may be opened in the joint names of the persons undertaking the same work or contract.
- (f) The depositor will be required to sign a letter (in a form prescribed by the Director-General) addressed to the postmaster, undertaking not to make any claim on the Savings Bank for the principal of the sum deposited, except with the express written sanction of the person referred to in the letter to whom the security is pledged; not to object to the payment by the Bank of the whole or part of the principal to such person on his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to such person or from the date on which such person has sanctioned the repayment of the deposit.
- (g) The officer to whom the security is pledged as above may, with the consent of the person pledging the security, open an account for such security in his own name, *e.g.*, "Executive Engineer, A—pore, on account of security of A. B." In this case the deposit will be received from the officer to

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

(3) When whole pieces of Government paper are required, the investor has the option of requesting, in his application, that the paper should remain in the custody of the Accountant-General, or be delivered to him. In the former case, a receipt from the Accountant-General for the paper will be delivered to the investor. When paper is to be delivered to the investor, it will be encased for payment of interest at the district treasury and be forwarded to the post office for delivery to the investor. In the case of Government securities represented by an Investment Certificate, the securities will remain in the custody of the Accountant-General, and no paper can be delivered to the investor or encased for payment of interest at the treasury.

(4) Applications for Investment Certificates and Government Promissory Notes must be made on separate forms of application prescribed by the Director-General. If the applicant is already a depositor in the Post Office Savings Bank, he should present his pass-book with his application; if he is not already a depositor, a pass-book will be prepared and delivered to him.

(5) When an application for an Investment Certificate is presented at a head or a sub-post office, an Investment Certificate, signed by the head or sub-postmaster as the case may be, will be handed to the investor *across the counter of the post office*. When the application is presented at a branch post office, an Investment Certificate will be obtained for the investor from the head office or the sub-office to which the branch office is subordinate. The Accountant-General will fix the rate at which Government securities presented by Investment Certificates can be purchased. This rate will be communicated to head and sub-postmasters, and will remain in force until it is changed by the Accountant-General.

(6) Two or more Investment Certificates may, at any time, be exchanged for a single certificate of their aggregate value. Also, one or more Investment Certificates of the nominal value of not less than Rs. 100 may at any time be exchanged for a whole piece of Government paper of Rs. 100 or any multiple of Rs. 100. The certificates to be exchanged must be presented at the local post office, entered in the appropriate form of application prescribed for the purpose by the Director-General. Separate forms are provided for exchanging—

(a) two or more certificates for a single one, and

(b) one or more certificates for a whole piece of Government paper.

(7) In each case in which an Investment Certificate is issued by a sub-office, the depositor will receive a confirmation by post from the head office showing the No., date and nominal value of the Investment Certificate and the cash balance left at credit of the account after the transaction. If the confirmation does not reach the depositor in proper time,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council.—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*contd.*

or if, when it reaches him, it shows any signs of erasure, or does not agree with the entries in the Investment Certificate or the pass-book, the depositor should immediately apply to the postmaster of the head office and renew his application until he receives a satisfactory reply.

(8) Applications for Government Promissory Notes presented at any post office will be forwarded to the Accountant-General, at Calcutta, who will take the necessary steps for the purchase. *The investor will be charged with the actual price paid for the Government Promissory Notes.* The entries in connection with the investment will be noted in the pass-book by the head office.

NOTE.—The limit of Rs. 5,000 for investments through the Post Office does not apply to investments in connection with public accounts, with regimental, police, and other joint accounts, or with security deposit accounts.

Sale of Government Securities.

47. (1) Any depositor may apply for sale through the Post Office of the whole, or of any portion, of any Government securities which may have been purchased for him through the Post Office, whether held by himself or held for him by the Accountant-General, provided that the securities bear no endorsement other than those made by and in favour of the Accountant-General and that, if only a portion of the Government securities is specified for sale, the nominal value of this portion must not be (a) less than Rs. 10 or (b) such sum as would leave a balance of securities of the nominal value of less than Rs. 10.

(2) Applications for the sale of (a) Investment Certificates, and (b) Government Promissory Notes, must be made on separate forms of application prescribed by the Director-General. In the former case, the application must be accompanied by the Investment Certificates, and the securities will be sold at the same rates as that fixed by the Accountant-General for the purchase of securities represented by Investment Certificates. In the latter case, such of the Government Promissory Notes to be sold as are not held by the Accountant-General must be presented with the application endorsed in favour of the Accountant-General, and these, together with any Government Promissory Notes in the custody of that officer which are specified for sale, will be sold at the current market rate.

(3) The result of sale will be intimated to the depositor by the Accountant-General through the postmaster concerned with the least possible delay after the receipt of the application. The proceeds of sale, together with any interest that may be due, will be credited to the depositor's Savings Bank account in the first instance and, if the annual or total cash limit of his account is thereby exceeded, the excess will not bear interest and must be withdrawn by the depositor.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POST OFFICE SAVINGS BANKS ACT, 1873 (V OF 1873).

Post Office Savings Banks Rules—*concl'd.*

NOTE.—Securities purch
during the minority except
of guardian in rule 1 of the

ior cannot be sold
and the definition
curities.

Safe custody of Government Promissory Notes.

48. (1) A depositor may tender at a Post Office Savings Bank for safe custody by the Accountant-General, Government Promissory Notes which have been purchased for him through the Post Office. The tender must be made on the form prescribed by the Director-General, and the notes tendered must be endorsed by the Accountant-General. A receipt for the notes from the Accountant-General will be delivered to the depositor.

(2) A depositor may also, at any time, apply through the local post office for the delivery to him of any Government Promissory Notes which have been purchased for him through the Post Office. The application must be made in the form prescribed by the Director-General. The notes will be delivered to the depositor on his surrendering the receipt originally granted to him by the Accountant-General duly endorsed in acknowledgment of his having received back the notes.

Interest on Government Securities.

49. So long as Government securities purchased through the Post Office remain in the custody of the Accountant-General, under rules 46 (3) and 48 (1), interest when due* will be drawn and advised to the local post office Savings Bank by the Accountant-General for credit to the depositor's account. If the annual or total cash limit of the account is exceeded, the excess will not bear interest.

50. No fee, commission, or brokerage of any kind is charged for the purchase, sale, safe custody or delivery out of custody of Government securities bought through the Post Office or for the realisation and remittance of interest on such securities. So long as Government securities purchased through the Post Office remain in the custody of the Accountant-General, under rules 46 (3) and 48 (1), the interest thereon is exempt from income-tax.

Power of Government to alter Rules.

51. The Governor-General in Council reserves the right to alter or add to these rules at any time.

[See Gazette of India, 1914, Pt. I, p. 326.]

* NOTE.—In the case of Government securities represented by Investment Certificates, interest will, for the present, be due on the 1st May and 1st November of each year.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE EUROPEAN VAGRANCY ACT, 1874 (IX OF 1874).

Exemptions from first part of S. 25 of the European Vagrancy Act, 1869 (XXI of 1869).

No. 4830, dated the 20th October, 1870.—In exercise of the power vested in him by section 25 of the European Vagrancy Act, 1869, His Excellency the Governor General in Council is pleased to exempt masters of steam or sailing vessels belonging to companies or registered owners from the operation of the first part of that section in respect of first class passengers on board such vessels.

[See Gazette of India, 1870, Pt. I, p. 723.]

European Vagrancy Rules.¹

No. 4828, dated the 20th October, 1870.—In exercise of the power vested in him by section 34 of Act XXI of 1869 (an Act to provide against European Vagrancy), His Excellency the Governor General in Council is pleased to make the following rules for the guidance of officers in the administration of the Act:—

- I.—The expression “person of European extraction” includes for the purposes of the Act and these Rules, (1) persons born in Europe, America, the West Indies, Australia, and New Zealand; and (2) the legitimate son of a father and grandson of a grandfather so born.
- II.—For the arrest and custody of vagrants, European or Eurasian Police officers shall, whenever it may be practicable, be employed in preference to Native Police Officers.
- III.—Whenever any person, apparently a vagrant, refuses or fails to comply with any requisition made by a Police Officer under section 4 of the Act,
whenever any person of European extraction commits an offence under section 23 of the Act in view of a Police Officer,
and whenever any Police Officer has reason to think that such offence has been, or is being, committed,
the person so refusing, failing or offending, may be forthwith arrested, without warrant by the Police Officer, for the purpose of being produced in the usual manner before the officer empowered to deal with the case.
- IV.—The “subsistence allowance” of the vagrant shall not ordinarily be made over to him, but shall be kept and

¹ This notification and these rules were issued under the Act of 1869. They are kept in force by section 2 of Act IX of 1874, Genl. Acts, Vol. II.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE EUROPEAN VAGRANCY ACT, 1874 (IX OF 1874).

European Vagrancy Rules—*contd.*

dishursed on his account by the Police or other officer in whose custody he is for the time being.

V.—No certificate shall be given under section 9, unless there be good ground for believing that the person applying for it is *bonâ fide* in search of employment, has a fair chance of obtaining it, and is of quiet and orderly behaviour.

VI.—The certificates shall be printed on parchment or paper of very durable character, and shall be in English, with translations in the two principal vernacular languages of the territories under the Local Government.

VII.—The time allowed under section 16 for search after employment, shall not ordinarily exceed two months, and shall not in any case exceed six months.

VIII.—In the Presidency Town, the Commissioner of Police and elsewhere, Magistrates with full powers, being also Justices of the Peace, shall be competent to act on behalf of the Secretary of State in Council in making agreements under section 17.

IX.—All such agreements shall be executed in duplicate, and the officer executing on behalf of the Secretary of State in Council shall retain one of the copies.

X.—When an agreement has been entered into by a vagrant under section 17, he shall be forwarded, along with the original agreement, in the charge of a Police Officer to the Officer at the port of embarkation, who is empowered by the Local Government to receive vagrants; and thereafter, and until his embarkation, he shall remain in the custody of that officer, or of such other officer as the Local Government empowers in this behalf.

He shall during such time be entitled to subsistence allowance at eight annas per diem, to be dishursed as directed in Rule IV.

XI.—Local Governments within whose jurisdiction ports are situated shall make all necessary arrangements for the reception and custody of vagrants sent for deportation by other Local Governments or authorities in the interior. They will from time to time, as may be necessary, give notice of such arrangements to the forwarding authorities.

XII.—Road expenses shall be provided by the forwarding authority. All further expenses incurred in proceedings under Chapter IV of the Act shall be defrayed by the Local

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules.

No. 14, dated the 7th August, 1885.—The Governor General in Council has been pleased to make the following rules in regard to the publication of the Indian Law Reports, in supersession of those published with Notification No. 3, dated 24th January, 1878:—

¹ *Calcutta Series.*

Madras Series.

1. A Reporter shall be appointed for the High Court of Madras, and shall work under the supervision of a Council to be constituted as follows:—

- A Judge of the High Court.
- The Advocate-General.
- One other Member of the Bar.
- One Solicitor.
- One Vakil.

The Judge, Member of the Bar, Solicitor and Vakil shall from time to time be appointed by the Chief Justice.

2. The Reporter shall be appointed and paid by the Governor General in Council.

3. The Reporter shall be primarily responsible for the selection and form of the reports, but on all questions of principle he shall consult, and be guided by, the Council.

4. The entire supervision of the literary work and editing of the reports, including such arrangements as may be needed to ensure the report of each case being ready for the press as soon as possible after judgment is delivered, will rest with the Council, the Local Government being responsible for all arrangements connected with printing, publication and distribution.

5. If the Judge or Judges who decided any case desires or desire that it should not be reported, it shall not be reported.

6. If the Court or the Chief Justice desires that the Reporter shall consult it or him, or any Committee appointed by it or by him on any case or matter, it shall be his duty to do so.

7. If the Court or the Chief Justice desires that any case decided by the Court or by any Division or Judge thereof shall be reported, and

¹ The rules for the Calcutta series have been superseded by those published in Notification No. 19, dated the 31st August, 1884, *infra*, p. 408.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules—*contd.*

signifies such desire to the Reporter, the case shall, subject to rule 5, be reported and published.

8. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

9. The reports shall be published under the authority of the Governor General in Council, and the Council is hereby empowered to publish them under such authority.

10. In framing reports regard shall be had to the following general rules and principles:—

- (a) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.
- (b) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.
- (c) In judging whether to insert or to omit a statement of facts, it is better to err on the side of over-statement than of under-statement.
- (d) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.
- (e) As a general rule, cases for which a full statement of facts cannot be obtained are not to be reported.
- (f) As a general rule, every report ought to contain a statement of the arguments of counsel, sufficient to show what points were pressed upon the Court.
- (g) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the report.
- (h) Every report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.
- (i) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules—*contd.*

- (j) In selecting cases for report, the Reporter is to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and is not to abstain from reporting a case merely because he may think the decision to be erroneous or to be in conflict with other decisions.

*Bombay Series.*¹

1. A Reporter shall be appointed for the High Court of Bombay, and shall work under the supervision of a Council to be constituted as follows:—

The Chief Justice.
Two Puisne Judges.
The Advocate-General.
The Government Pleader.

The two Puisne Judges shall from time to time be selected by the High Court.

2. The Reporter shall be appointed and paid by the Governor General in Council.

3. The Local Government shall be responsible for all arrangements connected with the printing, publication and distribution of the reports.

4. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

5. The reports shall be published under the authority of the Governor General in Council, and the Council is hereby empowered to publish them under such authority.

6. Subject to such instructions as may, from time to time, with the approval of the Chief Justice, be issued by the Council, regard shall be had in framing reports to the following general rules and principles:—

- (a) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.
- (b) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.
- (c) In judging whether to insert or to omit a statement of facts, it is better to err on the side of over-statement than of under-statement.

¹ The rules for Bombay were superseded in 1904, but the new rules were not published in the Gazette of India. They are now reproduced in this volume, see p. 409, *infra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules—*contd.*

- (d) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.
- (e) As a general rule cases for which a full statement of facts cannot be obtain are not to be reported.
- (f) As a general rule, every report ought to contain a statement of the arguments of counsel, sufficient to show what points were pressed upon the Court.
- (g) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the report.
- (h) Every report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.
- (i) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not be reported.
- (j) In selecting cases for report, the Reporter is to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and is not to abstain from reporting a case merely because he may think the decision to be erroneous, or to be in conflict with other decisions.

Allahabad Series.

1. A Reporter shall be appointed for the High Court of the North-Western Provinces, and shall work under the supervision of a Council to be constituted as follows:—

One Puisne Judge.

Two Barristers.

Two Vakils of the Court.

Each of the above shall from time to time be appointed by the Chief Justice.

2. The Reporter shall be appointed and paid by the Governor General in Council.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules—*contd.*

3. The Reporter shall be primarily responsible for the selection and form of the reports, but on all questions of principle he shall consult, and be guided by, the Council.

4. The entire supervision of the literary work and editing of the reports, including such arrangements as may be needed to ensure the report of each case being ready for the press as soon as possible after judgment is delivered, will rest with the Council; the Local Government being responsible for all arrangements connected with printing, publication and distribution.

5. If the Judge or Judges who decided any case desires or desire that it should not be reported, it shall not be reported.

6. If the Court or the Chief Justice desires that the Reporter shall consult it or him, or any Committee appointed by it or by him on any case or matter, it shall be his duty to do so.

7. If the Court or the Chief Justice desires that any case decided by the Court or by any Division or Judge thereof shall be reported, and signifies such desire to the Reporter, the case shall, subject to rule 5, be reported and published.

8. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

9. The reports shall be published under the authority of the Governor General in Council, and the Council is hereby empowered to publish them under such authority.

10. In framing reports regard shall be had to the following general rules and principles:—

- (a) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.
- (b) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.
- (c) In judging whether to insert or to omit a statement of facts it is better to err on the side of over-statement than of understatement.
- (d) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.
- (e) As a general rule, cases for which a full statement of facts cannot be obtained are not to be reported.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Indian Law Reports Rules—*concl'd.*

- (f) As a general rule, every report ought to contain a statement of the arguments of counsel, sufficient to show what points were pressed upon the Court.
- (g) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the report.
- (h) Every report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.
- (i) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and generally cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.
- (j) In selecting cases for report, the Reporter is to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and is not to abstain from reporting a case merely because he may think the decision to be erroneous, or to be in conflict with other decisions.

[See Gazette of India, 1885, Pt. I, p. 431.]

Revised Rules for the Calcutta Series, Indian Law Reports.

No. 19, dated the 31st August, 1894.—In supersession of that portion of the Notification in this Department, No. 14,¹ dated the 7th August, 1885, which relates to the Calcutta Series of the Indian Law Reports, the Governor General in Council has been pleased to make the following rules in regard to the publication of the said series:—

1. The Reports will be published under the supervision of a Council to be constituted as follows:—

The Judges of the High Court, Calcutta, nominated by the Court.

A Barrister nominated by the Advocates of the said High Court.

¹*Supra*, p. 403.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Revised Rules for the Calcutta Series, Indian Law Reports—*contd.*

A Vakil nominated by the Vakils practising in the said High Court.

An Attorney nominated by the Attorneys duly authorized to practise in the said High Court.

2. Each member of the Council shall continue in office for one year from the date of his nomination and no longer; but any retiring member may be re-nominated for a further term of one year, and so on as often as the nominating body shall please.

3. The Hon'ble the Chief Justice on behalf of the Court, the Hon'ble the Advocate-General on behalf of the Bar, the Senior Government Pleader on behalf of the Vakils, and the President of the Attorney's Association on behalf of the Attorneys, are hereby respectively authorised to take such steps as may be necessary for giving effect to the foregoing regulations.

4. The Council shall have the sole power of fixing the number of Reporters and the amount of their remuneration, and of appointing, suspending and dismissing them; and it shall have authority to frame such rules as it may deem fit for the guidance of the Reporters in the preparation and publication of the reports and generally in the discharge of their duties.

5. The Governor General in Council will place at the disposal of the Council the sum of Rs. 1,862 per mensem, or such other sum as may from time to time be sanctioned for the purpose, for or towards the remuneration of the Reporters and the defraying of the cost of their office establishment and stationery.

6. The Local Government will be responsible for all arrangements connected with printing, publication and distribution of the reports.

7. The reports shall be published under the authority of the Governor General in Council, and the Council constituted under these rules is hereby empowered to publish them under such authority.

[See Gazette of India, 1894, Pt. I, p. 489.]

Publication of the Bombay Series.

¹ORDER.

1. The Governor General in Council is pleased to make the following rules in regard to the publication of the Bombay Series of the

¹ This Order was not published in the Gazette of India, but as it supersedes the rules relating to the complete series so far as the Bombay Series are concerned, it has been reproduced here. For the rules relating to the Complete Series see page 403, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Publication of the Bombay Series—*contd.*

Indian Law Reports in supersession of so much of the Notification of the Government of India in the Legislative Department, No. 14, dated the 7th August, 1885, as relates to that series:—

Bombay Series.

1. The staff for editing the Bombay series of the Indian Law Reports shall be an Editor assisted by two or more Reporters as the Council of Law Reporting may prescribe.

2. The Editor shall have control over, and define the duties of, the Reporters, and shall work under the supervision of the Council of Law Reporting.

3. The Council of Law Reporting shall be constituted as follows:—

The Chief Justice,
Two Puisne Judges,
The Advocate General,
The Government Pleader.

The two Puisne Judges shall, from time to time, be selected by the Chief Justice.

4. The Editor shall be appointed and paid by the Governor General in Council. The Reporters shall be appointed by the Editor with the approval of the Council of Law Reporting.

5. The number of Reporters and the salaries to be paid to them shall be determined by the Council of Law Reporting, and the salaries of the Reporters shall be paid by the Editor out of his own salary.

6. The appointment of the Editor shall be for a period not exceeding five years at a time.

7. The appointment of the Reporters shall be on such terms as the Council of Law Reporting may determine.

8. The Local Government shall be responsible for all arrangements connected with the printing, publication and distribution of the Reports.

9. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

10. The Reports shall be published under the authority of the Governor General in Council, and the Council is hereby empowered to publish them under such authority.

11. Subject to such instructions as may from time to time, with the approval of the Chief Justice, be issued by the Council, regard shall

¹See p. 403, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN LAW REPORTS ACT, 1875 (XVIII OF 1875).

Publication of the Bombay Series—*concl'd.*

be had in framing Reports to the following general rules and principles:—

- (a) Every Report ought to contain a statement of all facts, necessary for a due understanding of the decision.
- (b) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.
- (c) In judging whether to insert or to omit a statement of facts, it is better to err on the side of over-statement than of under-statement.
- (d) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.
- (e) As a general rule, cases for which a full statement of facts cannot be obtained are not to be reported.
- (f) As a general rule, every Report ought to contain a statement of the arguments of counsel, sufficient to show what points were pressed upon the Court.
- (g) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the Report.
- (h) Every Report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.
- (i) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.
- (j) In selecting cases for Report, the Reporter is to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and is not to abstain from reporting a case merely because he may think the decision to be erroneous or to be in conflict with other decisions.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Declaration as to currency of Alwar Coinage in British India.

No. 557-F., dated the 9th November, 1877.—Whereas His Highness the Maharao Raja of Alwar (Alwar being a Native State within the meaning of the ¹Native Coinage Act, 1876) has, pursuant to the authority contained in section 5 of the said Act, sent to the Mint of Calcutta silver to be coined under the said Act into two lakhs of rupees, and has requested the Governor General of India in Council to declare that a tender of payment of money, if made in the said coins, shall be a legal tender in British India: And whereas the said silver has been coined into rupees and their fineness is identical with that prescribed by law for rupees of the Government of India, and they are identical in weight with the rupees of the Government of India, and the devices upon their obverse and reverse differ from the devices on coins now made or issued by the said State, and have been approved by the Governor General in Council, and upon each of such rupees its value in money of the Government of India is inscribed in the English language: And whereas His Highness the said Maharao Raja of Alwar has for himself and his successors undertaken to abstain during a term of thirty years from the date of this notification from coining silver in his own Mint, and has also undertaken that no coins resembling silver coins for the time being a legal tender in British India shall, after the expiration of the said term, be struck under the authority of himself or his successors or with his or their permission at any place within or without his or their jurisdiction: And whereas His Highness the said Maharao Raja of Alwar has formally declared that a tender of payment of money if made in silver coins of the Government of India shall, in the territories subject to His Highness, be a legal tender in cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India: And whereas His Highness the said Maharao Raja of Alwar has agreed for himself and his successors that the law and rules for the time being in force respecting the cutting and breaking of coin of the Government of India reduced in weight by reasonable wearing or otherwise, or counterfeit, or called in by proclamation, shall apply to the coins made for the said State under the said Act, and that the said State will defray the cost of cutting and breaking them: And whereas His Highness the said Maharao Raja of Alwar has also agreed for himself and his successors not to issue the said coins below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation: And whereas His Highness the said Maharao Raja of Alwar has also agreed for himself and his successors that if at any time the Government of India calls in its coinage of rupees, His Highness or his successors will, if so requested

¹ Genl. Acts, Vol. II.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Declaration as to currency of Alwar Coinage in British India—*contd.*

by the Government of India, call in, at his or their own expense, all the said rupees so coined for him :

The Governor General of India in Council, in consideration of the premises and in exercise of the power conferred by the 'Native Coinage Act, 1876, section three, is pleased to declare that a tender of payment of money, if made in the said rupees coined under the said Act, for the said State of Alwar, shall, subject to the provisions of the Indian Coinage Act, 1876, be a legal tender in British India.

[*See Gazette of India, 1877, Pt. I, p. 664.*]

Bikanir Rupees coined at the Bombay Mint declared to be legal tender.

No. 1356-I., dated the 21st April, 1893.—Whereas His Highness the Maharaja of Bikanir (Bikanir being a Native State within the meaning of the 'Native Coinage Act, IX of 1876) has, pursuant to the authority contained in section 5 of the said Act, sent to the Mint of Bombay silver which has been coined under the said Act into one lakh one thousand five hundred and twenty rupees, and has requested the Government of India to declare that a tender of payment of money, if made in rupees so coined, shall be a legal tender in British India :

And whereas the silver so sent has been coined into rupees of fineness identical with that prescribed by law for rupees of the Government of India :

And whereas the rupees so coined are identical in weight with the rupees of the Government of India and the devices upon their obverse and reverse differ from the devices on coins now made or issued by the Bikanir State, and have been approved by the Governor General in Council, and upon each of the rupees so coined its value in money of the Government of India is inscribed in the English language :

And whereas the said Maharaja, on behalf of himself, his heirs and successors, has undertaken to abstain, during a term of thirty years from the date of this notification, from coining silver and copper in his own Mint, and has also undertaken that no coins resembling coins for the time being a legal tender in British India shall, after the expiration of the said term, be struck under his or their authority or with his or their permission at any place within or without his or their jurisdiction :

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Bikanir Rupees coined at the Bombay Mint declared to be legal tender—*contd.*

And whereas the silver so sent has been coined into rupees of fineness identical with that prescribed by law for rupees of the Government of India :

And whereas the rupees so coined are identical in weight with the rupees of the Government of India and the devices upon their obverse and reverse differ from the devices on coins now made or issued by the Bikanir State, and have been approved by the Governor General in Council, and upon each of the rupees so coined its value in money of the Government of India is inscribed in the English language :

And whereas the said Maharaja, on behalf of himself, his heirs and successors, has undertaken to abstain during a term of thirty years from the date of this notification, from coming silver and copper in his own Mint, and has also undertaken that no coins resembling coins for the time being a legal tender in British India shall, after the expiration of the said term, be struck under his or their authority or with his or their permission at any place within or without his or their jurisdiction :

And whereas the said Maharaja has formally declared that a tender of payment of money, if made in silver coins of the Government of India, shall, in the territories subject to His Highness, be a legal tender in the cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India.

And whereas the said Maharaja for himself, his heirs, and successors has agreed that the law and rules for the time being in force respecting the cutting and breaking of coin of the Government of India reduced in weight by reasonable wearing or otherwise, or counterfeited, or called in by proclamation, shall apply to the coins made for the said Bikanir State under the said Act, and that the said State will defray the cost of cutting and breaking them :

And has also agreed not to issue the same coins below their normal value, and not to allow any discount or other advantage to any person in order to bring them into circulation :

And has also agreed that, if at any time the Government of India call in their coinage in silver and copper, he, the said Maharaja, his heirs, or successors, will, if so requested by the Government of India, call in, at his or their own expense, all the said rupees so coined for him :

Now, therefore, the Governor General in Council, in consideration of the premises and in exercise of the power conferred by the Native Coinage Act (IX of 1876), section 3, is pleased to declare that a tender of

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Bikanir Rupees coined at the Bombay Mint declared to be legal tender—*contd.*

payment of money, if made in the said rupees coined under the said Act for the said State of Bikanir, shall, subject to the provisions of the Indian Coinage Act (XXIII of 1870), be a legal tender in British India.

[See Gazette of India, 1893, Pt. I, p. 428.]

No. 3117-I., dated the 6th September, 1893.—Whereas His Highness the Maharaja of Bikanir (Bikanir being a Native State within the meaning of the Native Coinage Act, IX of 1876) has, pursuant to the authority contained in section 5 of the Act, sent to the Mint of Bombay silver which has been coined under the said Act into one lakh and ninety thousand rupees, and has requested the Government of India to declare that a tender of payment of money, if made in rupees so coined, shall be a legal tender in British India:

And whereas the silver so sent has been coined into rupees of fineness identical with that prescribed by law for rupees of the Government of India:

And whereas the rupees so coined are identical in weight with the rupees of the Government of India, and the devices upon their obverse and reverse differ from the devices on coins now made or issued by the Bikanir State, and have been approved by the Governor General in Council, and upon each of the rupees so coined its value in money of the Government of India is inscribed in the English language:

And whereas the said Maharaja, on behalf of himself, his heirs and successors, has undertaken to abstain during a term of thirty years from the date of this notification, from coining silver and copper in his own Mint, and has also undertaken that no coins resembling coins for the time being a legal tender in British India shall, after the expiration of the said term, be struck under his or their authority or with his or their permission at any place within or without his or their jurisdiction:

And whereas the said Maharaja has formally declared that a tender of payment of money, if made in silver coins of the Government of India, shall in the territories subject to His Highness, be a legal tender in the cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India:

And whereas the said Maharaja for himself, his heirs and successors has agreed that the law and rules for the time being in force respecting the cutting and breaking of coin of the Government of India reduced in weight by reasonable wearing or otherwise, or counterfeit, or called in by proclamation, shall apply to the coins made

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Bikanir Rupees coined at the Bombay Mint declared to be legal tender—*contd.*

for the said Bikanir State under the said Act, and the said State will defray the cost of cutting and breaking them:

And has also agreed not to issue the same coins below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation:

And has also agreed that, if at any time the Government of India call in their coinage in silver and copper, he, the said Maharaja, his heirs and successors, will, if so requested by the Government of India, call in, at his or their own expense, all the said rupees so coined for him:

Now, therefore, the Governor General in Council, in consideration of the premises and in exercise of the power conferred by the Native Coinage Act (IX of 1876), section 3, is pleased to declare that a tender of payment of money, if made in the said rupees coined under the said Act for the said State of Bikanir, shall, subject to the provisions of the Indian Coinage Act (XXIII of 1870), be a legal tender in British India.

[See Gazette of India, 1893, Pt. I, p. 517.]

No. 1131-I., dated 29th March, 1894.—Whereas His Highness the Maharaja of Bikanir (Bikanir being a Native State within the meaning of the Native Coinage Act, IX of 1876) has, pursuant to the authority contained in section 5 of the said Act, caused to be provided at the Mint of Bombay silver which has been coined under the said Act into four lakhs and ten thousand rupees, and has requested the Government of India to declare that a tender of payment of money, if made in rupees so coined, shall be a legal tender in British India:

And whereas the silver so provided has been coined into rupees of fineness identical with that prescribed by law for rupees of the Government of India:

And whereas the rupees so coined are identical in weight with the rupees of the Government of India and the devices upon their obverse and reverse differ from the devices on coins now made or issued by the Bikanir State, and have been approved by the Governor General in Council, and upon each of the rupees so coined its value in money of the Government of India is inscribed in the English language:

And whereas the said Maharaja, on behalf of himself, his heirs and successors, has undertaken to abstain, during a term of thirty years from the date of this notification, from coining silver and copper in his own Mint, and has also undertaken that no coins resembling coins for

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Bikanir Rupees coined at the Bombay Mint declared to be legal tender—*concl'd.*

the time being a legal tender in British India shall, after the expiration of the said term, be struck under his or their authority or with his or their permission at any place within or without his or their jurisdiction :

And whereas the said Maharaja has formally declared that a tender of payment of money, if made in silver coins of the Government of India, shall, in the territories subject to His Highness, be a legal tender in the cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India :

And whereas the said Maharaja, for himself, his heirs, and successors, has agreed that the law and rules for the time being in force respecting the cutting and breaking of coin of the Government of India reduced in weight by reasonable wearing or otherwise, or counterfeit, or called in by proclamation, shall apply to the coins made for the said Bikanir State under the said Act, and that the said State will defray the cost of cutting and breaking them :

And has also agreed not to issue the same coins below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation :

And has also agreed that, if at any time the Government of India call in their coinage in silver and copper, he, the said Maharaja, his heirs, or successors, will, if so requested by the Government of India, call in at his or their own expense, all the said rupees so coined for him :

Now, therefore, the Governor General in Council, in consideration of the premises and in exercise of the power conferred by the ¹Native Coinage Act (IX of 1876), section 3, is pleased to declare that a tender of payment of money, if made in the said rupees coined under the said Act for the said State of Bikanir, shall, subject to the provisions of the ²Indian Coinage Act (XXIII of 1870), be a legal tender in British India.

[See Gazette of India, 1894, Pt. I, p. 187.]

Dhar copper coinage declared to be legal tender.

No. 171-I., dated the 13th January, 1888.—Whereas His Highness the Maharaja of Dhar (Dhar being a Native State within the meaning

¹ Genl. Acts, Vol. II.

² See now the Indian Coinage Act, 1906 (III of 1906), Genl. Acts, Vol. VI.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

Dhar copper coinage declared to be legal tender—*contd.*

of the 'Native Coinage Act, 1876) has asked the Government of India to have copper coins of the denominations current in British India made under the said Act at the Mints of the Government of India for the Dhar State, to the aggregate nominal value of (Rs2,756-2) twenty-two thousand seven hundred and fifty-six rupees and two annas, such being the amount estimated as requisite for circulation in the said State: And whereas the said coins have been made, and are identical in weight with the coins of the Government of India of the same metal, and the devices upon their obverse and reverse, which differ from the devices on coins now made or issued by the said State, have been approved by the Governor General in Council, and upon each of such coins its value in money of the Government of India is inscribed in the English language: and whereas the said Maharaja has undertaken, for himself and his successors, to take back at its nominal value all coins so made which may accumulate in British treasuries: And whereas the said Maharaja has undertaken for himself and his successors to abstain during a term of thirty years from the date of this notification from coining in his own Mint any copper coins, and has also undertaken for himself and his successors that no coins resembling coins for the time being a legal tender in British India, shall, after the expiration of the said term of thirty years, be struck under the authority of himself or his successors, or with his or their permission, at any place within or without his or their jurisdiction:

And whereas the said Maharaja has formally declared that a tender of payment of money if made in the copper coins of the Government of India shall, in the territories subject to His Highness, be a legal tender in cases in which payment made in such coins would under the law for the time being in force be a legal tender in British India: And whereas the said Maharaja has agreed, for himself and his successors, that the law and rules for the time being in force respecting the cutting and breaking of coin of the Government of India reduced in weight by reasonable wearing or otherwise, or counterfeit, or called in by proclamation shall apply to the coins made for the said State under the said Act, and that the said State will defray the cost of cutting and breaking them: And whereas the said Maharaja has also agreed for himself and his successors not to issue the said coins below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation: And whereas the said Maharaja has also agreed for himself and his successors that, if at any time the Government of India calls in its coinage of copper of any or of all denominations, His Highness or his successors will, if so requested by the Government of India, call in, at his or their own expense, all or any denominations of the said copper coins coined for him:

AND ORDERS made under General
Part II. of the Governor General in Council—*contd.*

Acts

THE NATIVE COINAGE ACT, 1876 (IX OF 1876).

coined by the British Government for the Raja of Sailana to be legal tender in British India—*contd.*

Bronze coins

Whereas the said Raja has formally declared that a tender of money, if made in the bronze or copper coins of the Government, shall, in the territories subject to His Highness, be legal payment of the cases in which payment made in such coins would, under the time being in force, be a legal tender in British India:

And whereas the said Raja, for himself, his heirs, and successors, has agreed not to issue the coins made for the said Sailana State under the law for the said State, below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation:

And whereas the said Raja, for himself, his heirs, and successors, has agreed not to issue the coins made for the said Sailana State under the law for the said State, below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation:

Therefore, the Governor General in Council, in consideration of the said Raja's declaration, and in exercise of the power conferred by the Native Coinage Act, 1876, section 3, is pleased to declare that a tender of money, if made in the said bronze coins made under the said Act, shall be a legal tender in British India.

Now, the said Raja, for himself, his heirs, and successors, has agreed not to issue the coins made for the said Sailana State under the law for the said State, below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation:

And whereas the said Raja, for himself, his heirs, and successors, has agreed not to issue the coins made for the said Sailana State under the law for the said State, below their nominal value, and not to allow any discount or other advantage to any person in order to bring them into circulation:

[See Gazette of India, 1908, Pt. I, p. 1903.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PRESIDENCY BANKS ACT, 1876 (XI OF 1876).

Stock or other securities on which Presidency Banks may advance and lend money and open cash credits.

No. 4734-A., dated the 29th July, 1907.—In exercise of the power conferred by section 36, sub-section (a), clause (3) of the Presidency Banks Act (XI of 1876), as amended by section 3 (ii) of Act I of 1907, the Governor General in Council is pleased to prescribe the stock or debentures of, or shares in, the following State-aided railways as those upon the security of which the Presidency Banks are authorised to advance and lend money and open cash credits under section 36 (a) of the Act:—

1. Darjeeling-Himalayan Railway.
2. Delhi-Umballa-Kalka Railway.
3. Ahmedabad-Dholka Railway.
4. Ahmedabad-Parantij Railway.
5. Tapti Valley Railway.
6. Amritsar-Patti Railway.
7. Southern Punjab Railway (including Ludhiana Extension).
8. Mymensing-Jamalpur-Jaganathganj Railway.

[See Gazette of India, 1907, Pt. I, p. 661.]

vt II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Travancore and Cochin Ports declared to be British Indian Ports.

o. 1131, dated the 13th June, 1865.—Under the provisions of s. 12 of ¹Act VI of 1863, and in the exercise of the power and authority therein reserved, the Governor General in Council is pleased to declare the ports of the Native States of Cochin and Travancore to be British Indian ports for the purposes of section 18, section 141, and sections 149 to 160 of the same Act, in so far as the said sections or any of them are capable of being applied with respect to such ports. This declaration is to have effect from the 1st June, 1865

[See Gazette of India, 1865, Pt. I, p. 780.]

Ports and parts of Bhownuggur declared to be British Indian Ports.

1180, dated the 26th June, 1866.—Under the provisions of s. 12 of ¹Act VI of 1863, and in the exercise of the power and authority therein reserved, the Governor General in Council is pleased to declare the ports of His Highness the Gaekwar, the Thakoor of Bhownuggur and the Nawab of Cambay, to be British Indian ports for the purposes of section 18, section 141, and sections 149 to 160 of the same Act, in so far as the said sections or any of them are capable of being applied with respect to such ports.

[See Gazette of India, 1866, Pt. I, p. 908.]

Port of Cambay declared to be customs port for certain purposes.

7, dated the 1st August, 1884.—In exercise of the power conferred by section 13 of the ²Sea Customs Act, VIII of 1878, and in pursuance of so much of Notification ³No. 1180, dated the 26th June 1866, as relates to the Port of Cambay, the Governor General is pleased to direct that all goods imported from, or exported to, the Port into or from any customs port in British India shall be subject to the levy of customs duties and the payment of drawback under the said Act, as goods imported from, or exported to, a foreign port as the case may be.

[See Gazette of India, 1884, Pt. I, p. 282.]

Customs Act, 1878 (VIII of 1878), by s. 2 of which these notifications are made.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878- (VIII OF 1878).

Ports in Habsan territories declared to be customs ports for certain purposes.

No. 35-S., dated the 23rd January, 1885.—In exercise of the power conferred by section 13 of the ¹Sea Customs Act, VIII of 1878, the Governor General in Council is pleased to direct that all goods imported from, or exported to, ports in the territory of the Nawab of Habsan into, or from, any customs port in British India, shall be treated, as regards the levy of customs duties and the payment of drawback under the said Act, as goods imported from, or exported to, a customs port, as the case may be.

[See Gazette of India, 1885, Pt. I, p. 142.]

Prohibition of import and export of Arms, etc., into British India.

No. 2251, dated the 16th August, 1879.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878, the Governor General in Council prohibits the bringing or taking by sea or by land into or out of British India, of arms, ammunition or military stores, as defined in the ¹Indian Arms Act, 1878, except in accordance with the provisions of that Act and the rules and orders issued thereunder.

[See Gazette of India, 1879, Pt. I, p. 565.]

Prohibition of import of cotton goods impressed with designs of Currency and other Notes into British India.

No. 4878, dated the 10th November, 1882.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878, the Governor General in Council is pleased to prohibit the importation into ports in British India of cotton goods impressed with designs in imitation of Currency Notes, Promissory Notes, or Stock Notes of the Government of India. This order shall come into force from the 1st of March, 1883.

[See Gazette of India, 1882, Pt. I, p. 463.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition as to import of dynamite, etc., into British India, except under certain conditions.

No. 1926, dated the 6th July, 1883.—The Notification of this Department, No. 666, dated the 4th May, 1883, is hereby cancelled, and the following issued in substitution thereof:—

Whereas it appears to the Governor General in Council desirable that precautions should be taken to prevent the importation of impure explosives into British India, His Excellency in Council, in exercise of the powers vested in him by section 19 of the 'Sea Customs Act, VIII of 1878, is pleased, as a temporary measure, pending legislation on the subject, to prohibit the bringing or taking by sea or land into British India of dynamite and of all analogous preparations of nitroglycerine, unless—

- (a) the custom-house authorities are satisfied on the report of the Chemical Examiner or of some other chemist appointed in this behalf by the Local Government that the explosives comprised in the consignment are free from exudation, and satisfy the "heat test" applied by Her Majesty's Inspectors of Explosives in England; or
- (b) that the consignment is covered by a certificate of one of Her Majesty's Inspectors of Explosives in England showing that samples were taken from bulk before shipment and satisfied the tests applied by such Inspectors.

[See Gazette of India, 1883, Pt. I, p. 285.]

Prohibition of import into British India of pieces of metal resembling Indian silver Currency.

No. 88-S., dated the 22nd March, 1887.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, VIII of 1878, the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of pieces of metal resembling in shape and in size, and stamped either on the obverse or on the reverse in imitation of rupees, half-rupees, quarter-rupees and eighth-rupees. This order shall come into force from the 1st June next.

[See Gazette of India, 1887, Pt. I, p. 171.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of import into British India of pieces of metal, other than coin to be used as money except under certain conditions.

No. 625, dated the 1st February, 1889.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, VIII of 1878, the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of pieces of copper or mixed metal which, not being coin as defined in the Indian Penal Code, are intended to be used as money:

Provided that the bringing of such pieces into British India by a traveller in quantity not exceeding one hundred pieces and in good faith for his own use, shall not be deemed to be prohibited by this notification.

2. In exercise of the power conferred by section 6 of the ²Metal Tokens Act, I of 1889, the Governor General in Council is further pleased to direct—

- (a) that any person bringing pieces of copper into British India in contravention of the foregoing prohibition under section 19 of the ¹Sea Customs Act, 1878, shall be liable to the punishment to which he would be liable if he were convicted under the ²Metal Tokens Act, I of 1889, of making in British India, in contravention of section 3 of that Act, any such piece as is mentioned in that section, and
- (b) that the provisions of sub-section (3) of section 4, and sub-section (1) of section 5 of the ²Metal Tokens Act, I of 1889, in relation to the offence of making in British India, in contravention of section 3 of that Act, any such piece as is mentioned in that section, shall apply, so far as they can be made applicable, to the offence of contravening the foregoing prohibition under section 19 of the Sea Customs Act, 1878.

[See Gazette of India, 1889, Pt. I, p. 76.]

Prohibition of import of certain newspapers from Chandernagore.

No. 5419, dated the 26th October, 1889.—Under section 19 of the ¹Sea Customs Act, 1878, the Governor General in Council hereby prohibits the bringing or taking by sea or by land into British India of any copies of past or future issues of the newspaper styled the *Praja Bandhu* and published at the Vyas Press, Chandernagore.

[See Gazette of India, 1889, Pt. I, p. 598.]

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).

Import of Daman salt into British India.

No. 475-S. R., dated the 25th January, 1895.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, VIII of 1878, the Governor General in Council is pleased to prohibit the importation by land of Daman salt into British India.

[See Gazette of India, 1895, Pt. I, p. 36.]

Prohibition of Import by sea into Madras, Calcutta and Rangoon of rags and second-hand clothing.

No. 389-S. R., dated the 22nd January, 1897.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act (VIII of 1878), and of all other powers in that behalf, the Governor General in Council is pleased to prohibit the bringing of rags and second-hand clothing by sea into any of the ports of Madras, Calcutta, and Rangoon, unless the Collector of Customs at Madras, Calcutta, or Rangoon, as the case may be, is satisfied that the said goods have not been exported from any port* with regard to which rules for quarantine against plague have been issued under section 1 of Act I of 1870.²

[See Gazette of India, 1897, Pt. I, p. 49.]

Prohibition of Import of Intoxicating drugs prepared from hemp into the Madras Presidency.

No. 707-S. R., dated the 12th February, 1897.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing or taking by sea or by land, into the territories administered by the Governor of Fort St. George in Council, of intoxicating drugs prepared from the hemp plant (*Cannabis sativa*, variety *Indica*).

[See Gazette of India, 1897, Pt. I, p. 121.]

Prohibition of Importation into British India of sovereigns or half-sovereigns.

No. 2365-S. R., dated the 16th May, 1900.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878),

¹ Genl Acts, Vol. II.

* (NOTE.—The ports with regard to which such rules for quarantine have as yet been issued are Bombay and Karachi.)

² The Indian Quarantine Act, 1870.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of importation into British India of sovereigns or half-sovereigns—*contd.*

the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of pieces of metal resembling in shape and in size, and stamped either on the obverse or on the reverse in imitation of sovereigns and half-sovereigns.

[See Gazette of India, 1900, Pt. I, p. 305.]

Import into British India of Budhistic remains from Dir, Swat, Chitral and Gilgit.

No. 438-F., dated the 22nd February, 1901.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing into British India, from any part of the Dir, Swat and Chitral Agency or of the Gilgit Agency, or from any of the tribal areas which lie between those two Agencies and the border of British India of any Budhistic sculptures, carvings or inscriptions save under the authority in writing of the Chief Political Officer of the said territories.

[See Gazette of India, 1901, Pt. I, p. 125.]

Prohibiting the export from British India of certain skins and feathers.

No. 5028-S. R., dated the 19th September, 1902.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the taking by sea or by land out of British India of skins and feathers of all birds other than domestic birds, except (a) feathers of ostriches and (b) skins and feathers exported *bonâ fide* as specimens illustrative of natural history.

[See Gazette of India, 1902, Pt. I, p. 697.]

Prohibition of import of an Arabic newspaper into British India.

No. 6302-S. R., dated the 28th November, 1902.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or land into British India of any copy, whether heretofore or hereafter issued, of the Arabic newspaper called "Murshid Al Albab," or "the Guide to Wisdom."

[See Gazette of India, 1902, Pt. I, p. 862.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of import of Sugar to parts of the Bombay Presidency contiguous to certain Kathiawar States.

No. 4762-S. R., dated the 5th August, 1903.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by land of any sugar into those districts of the Province of Bombay which are contiguous to any of the following States and talukas of Kathiawar, namely:—

Bhavnagar.	Vanod.
Limbdī.	Wadhwan Thana.
Wadhwan.	Vithalgadh Thana.
Lakhtar.	Bboika Thana.
Chnda.	Dasada Thana.
Vala.	Chotila Thana.
Jasdan.	Jbinjhuwada Thana.
Bajana.	Paliad Thana.
Patri.	

[See Gazette of India, 1903, Pt. I, p. 666.]

Prohibition of Import of Arabic publications Issued by Abdul Mohamed bin Abdul Allah.

No. 483-S. R., dated the 20th January, 1904.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or land into British India of any copy of Arabic books, leaflets, or pamphlets, published by Abdul Mohamed bin Abdul Allah.

[See Gazette of India, 1904, Pt. I, p. 81.]

Prohibition of Import into British India of copper coin issued by the State of Baroda.

No. 4860-C., dated the 8th September, 1905.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Notification in the Finance and Commerce Department, No. 1698-A., dated the 19th April, 1893, the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of copper or bronze coin, not being King's coin or coin issued by any Native State in India other than the State of Baroda.

2. Provided that the bringing of such coin into British India by a traveller, in any quantity not exceeding one rupee's worth at any one time, in good faith, for his own use, shall not be deemed to be prohibited by this Notification.

[See Gazette of India, 1905, Pt. I, p. 660.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of import into British India of dies containing devices of coin or imitations thereof.

No. 6796, dated the 23rd November, 1905.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of dies stamped or engraved with the device of coin, as defined by section 230 of the ²Indian Penal Code (Act XLV of 1860, as amended by Act XIX of 1872), or with any colourable imitation of such device.

[*See Gazette of India, 1905, Pt. I, p. 841.*]

Import into British India of American or West Indian unfumigated Cotton Seed.

No. 5103—79, dated the 3rd July, 1906.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of American or West Indian Cotton Seed, except such as has been fumigated to the satisfaction of the Customs Collector.

[*See Gazette of India, 1906, Pt. I, p. 456.*]

Import into British India of pink quinine.

No. 6462—78, dated the 1st August, 1907.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of quinine which has been coloured pink.

[*See Gazette of India, 1907, Pt. I, p. 661.*]

Import into British India of certain publications.

No. 8003—103, dated the 19th September, 1907.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy, whether heretofore or hereafter issued, of the following publications:—

1. The "Gaelic American."
2. The "Indian Sociologist."
3. ³ "Justice."

[*See Gazette of India, 1907, Pt. I, p. 850.*]

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. I.

³ Cancelled by Notification No. 10704-103, dated 17th December, 1907, Gazette of India, 1907, Pt. I, p. 1143.

See, however, Notification No. 5455-82, dated 27th July, 1909, *infra*, p. 432.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Export of Mhowra flowers from British India to Portuguese Possessions in India.

No. 127—1, dated the 9th January, 1908.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the taking by sea or by land of Mhowra flowers from any part of British India to any part of the Indian Possessions of His Majesty the King of Portugal and Algarves.

[See Gazette of India, 1908, Pt. I, p. 32.]

Import into British India of the "Sufvatul Akhbar."

No. 2940—32, dated the 19th March, 1908.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy, whether heretofore or hereafter issued, of the Arabio newspaper called "Sufvatul Akhbar."

[See Gazette of India, 1908, Pt. I, p. 218.]

Import into British India of apparatus for wireless telegraphy.

No. 5120—73, dated the 14th July, 1909.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to restrict the bringing by sea or by land into British India of any apparatus for wireless telegraphy, to cases in which such apparatus is imported by persons to whom a license to establish a system of wireless telegraphy has been granted by the Governor General in Council under section 4 of the 'Indian Telegraph Act, 1885 (XIII of 1885).

[See Gazette of India, 1909, Pt. I, p. 567.]

Import into British India of Mr. Sarvakar's pamphlet on the Indian Mutiny.

No. 5345—81, dated the 23rd July, 1909.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the book or pamphlet in Marathi on the subject of the Indian Mutiny by Binayek Damodar Sarvakar, or any English translation or version of the same.

[See Gazette of India, 1909, Pt. I, p. 604.]

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. III.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import into British India of the "Justice."

No. 5455—82, dated the 27th July, 1909.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy, whether heretofore or hereafter issued, of the publication "Justice."

[See Gazette of India, 1909, Pt. I, p. 622.]

Import into British India of magazine entitled "Svaraj."

No. 6467—96, dated the 1st September, 1909.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the magazine entitled "Svaraj": "*The Indian Nationalist.*"

[See Gazette of India, 1909, Pt. I, p. 782.]

Import into British India of "The Bande Mataram."

No. 7936—108, dated the 21st October, 1909.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General is pleased to prohibit the bringing by sea or by land into British India of any copy of the paper entitled "The Bande Mataram," a monthly organ of Indian Independence and printed at Geneva.

[See Gazette of India, 1909, Pt. I, p. 1074.]

Import of "The Talvar" Into British India.

No. 9148—128, dated the 13th December, 1909.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General is pleased to prohibit the bringing, by sea or by land into British India, of any copy of the paper entitled "The Talvar" (or "Shamsher").

[See Gazette of India, 1909, Pt. I, p. 1695.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).**Import of the "Satsang" from Goa into British India.**

No. 82—133, dated the 4th January, 1910.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the paper entitled "Satsang," which is printed and published at Goa.

Import of "The Methods of the Indian Police" into British India.

No. 3937—61, dated the 27th May, 1910.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of any copy of the pamphlet entitled "The methods of the Indian Police in the 20th Century," published by Mr. F. C. Mackarness and printed by the National Press Agency, Limited, Whitefriars House, Carmelite Street, London.

[See Gazette of India, 1910, Pt. I, p. 411.]

Import of "Indian Home Rule" into British India.

No. 5348—81, dated the 30th July, 1910.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the booklet entitled "Indian Home Rule" by M. K. Gaudbi of Johannesburg, South Africa.

[See Gazette of India, 1910, Pt. I, p. 723.]

Import into British India of Cinematograph films of the Johnson-Jeffries fight.

No. 5424, dated the 6th August, 1910.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any cinematograph films of the Johnson-Jeffries fight.

[See Gazette of India, 1910, Pt. I, p. 759.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import into British India of "Maro Firinghi Ko."

No. 5700—89, dated the 13th August, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the paper entitled "Maro Firinghi Ko."

[See Gazette of India, 1910, Pt. I, p. 772.]

Import into British India of "The infamies of Liberal Rule in India."

No. 6418—101, dated the 10th September, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet or leaflet, in whatever language printed, entitled "The infamies of Liberal Rule in India," issued by the executive council of the Social Democratic Party in England and at present printed at the 20 Century Press, Limited, 37 A, Clerkenwell Green, London, E.C.

[See Gazette of India, 1910, Pt. I, p. 945.]

Import into British India of a collection of Arabic poems called Watanlyati.

No. 7044—113, dated the 8th October, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of a book of poems in Arabic entitled *Watanlyati*, purporting to have been published by Ali Al Ghayati of the *Al Alam* newspaper, at the Costaliynla Press at Cairo, Egypt.

[See Gazette of India, 1910, Pt. I, p. 1025.]

Import into British India of pamphlet called "Pagans and Christians or the Black Spot in the East."

No. 272, dated the 14th January, 1911.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land into British India, of any copy of the pamphlet entitled "Pagans and Christians or the Black Spot in the East" purporting to be an open letter to Lady Arthur Somerset by Thelgar Vanicoro (W. W. Strickland, B.A.), printed in English and published by George Standring, Finsbury Street, London, E.C.

[See Gazette of India, 1911, Pt. I, p. 31.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).

imports into British India of certain goods specified in the schedule attached.

No. 720—79, dated 4th February, 1911.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit, with effect from the 1st June, 1911, the bringing by sea or by land into British India, by means of the post, of the goods specified in the attached schedule, and to restrict the importation of these goods by other means to cases in which they are imported by persons, or their authorised agents, who have been permitted to import them by a Local Government or Administration or by an officer authorised in this behalf by a Local Government or Administration: Provided that the Collector of Customs shall have power to admit import by sea or by land in exceptional cases or when he is satisfied that the proportion of the prohibited drug in any article is so small as to be negligible or that other reasons render it impossible for the article to be used as an intoxicant.

² 2. The Notifications of the Government of India in this Department, No. 3566, dated the 9th April, 1908, No. 8963-117, dated the 9th December, 1909, and No. 8555-119, dated the 18th November, 1909 (as amended by Notifications No. 742-119, dated the 28th January, 1910, and No. 3024-32, dated the 23rd April, 1910), are hereby cancelled, with effect from the 1st June, 1911.

Schedule.

- (1) Opium and all alkaloids of opium and all intoxicating drugs made from the poppy.
- (2) Ganja, hhang and charas and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis sativa*).
- (3) Coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine.
- (4) All preparations and admixtures of any of the above.

[See Gazette of India, 1911, Pt. I, p. 83.]

Import of the "Swadesh Sevak" into British India.

No. 2008—37, dated the 18th March, 1911.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India, of any copy of the "Swadesh Sevak," a Gurmnkhi newspaper published at Vancouver, British Columbia.

[See Gazette of India, 1911, Pt. I, p. 207.]

¹ Genl. Acts, Vol. II.

² Paragraph 2 was substituted by Notification No. 1501—79, dated the 4th March 1911, see Gazette of India, 1911, Pt. I, p. 159.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import into British India of "Maro Firinghi Ko."

No. 5700—89, dated the 13th August, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the paper entitled "Maro Firinghi Ko."

[See Gazette of India, 1910, Pt. I, p. 772.]

Import into British India of "The infamies of Liberal Rule in India."

No. 6418—101, dated the 10th September, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet or leaflet, in whatever language printed, entitled "The infamies of Liberal Rule in India," issued by the executive council of the Social Democratic Party in England and at present printed at the 20 Century Press, Limited, 37 A, Clerkenwell Green, London, E.C.

[See Gazette of India, 1910, Pt. I, p. 945.]

Import into British India of a collection of Arabic poems called *Wataniyati*.

No. 7044—113, dated the 8th October, 1910.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of a book of poems in Arabic entitled *Wataniyati*, purporting to have been published by Ali Al Ghayati of the *Al Alam* newspaper, at the Costaliyula Press at Cairo, Egypt.

[See Gazette of India, 1910, Pt. I, p. 1025.]

Import into British India of pamphlet called "Pagans and Christians or the Black Spot in the East."

No. 272, dated the 14th January, 1911.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land into British India, of any copy of the pamphlet entitled "Pagans and Christians or the Black Spot in the East" purporting to be an open letter to Lady Arthur Somerset by Thelgar Vanicoro (W. W. Strickland, B.A.), printed in English and published by George Standring, Finsbury Street, London, E.C.

[See Gazette of India, 1911, Pt. I, p. 31.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Imports into British India of certain goods specified in the schedule attached.

No. 720—79, dated 4th February, 1911.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit, with effect from the 1st June, 1911, the bringing by sea or by land into British India, by means of the post, of the goods specified in the attached schedule, and to restrict the importation of these goods by other means to cases in which they are imported by persons, or their authorised agents, who have been permitted to import them by a Local Government or Administration or by an officer authorised in this behalf by a Local Government or Administration: Provided that the Collector of Customs shall have power to admit import by sea or by land in exceptional cases or when he is satisfied that the proportion of the prohibited drug in any article is so small as to be negligible or that other reasons render it impossible for the article to be used as an intoxicant.

² 2. The Notifications of the Government of India in this Department, No. 3566, dated the 9th April, 1908, No. 8963-117, dated the 9th December, 1909, and No. 8555-119, dated the 18th November, 1909 (as amended by Notifications No. 742-119, dated the 28th January, 1910, and No. 3024-32, dated the 23rd April, 1910), are hereby cancelled, with effect from the 1st June, 1911.

Schedule.

- (1) Opium and all alkaloids of opium and all intoxicating drugs made from the poppy.
- (2) Ganja, hhang and charas and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis sativa*).
- (3) Coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine.
- (4) All preparations and admixtures of any of the above.

[See Gazette of India, 1911, Pt. I, p. 83.]

Import of the "Swadesh Sevak" into British India.

No. 2008—37, dated the 18th March, 1911.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India, of any copy of the "Swadesh Sevak," a Gurmukhi newspaper published at Vancouver, British Columbia.

[See Gazette of India, 1911, Pt. I, p. 207.]

¹ Genl. Acts, Vol. II.

² Paragraph 3 was substituted by Notification No. 1501—79, dated the 4th March 1911, see Gazette of India, 1911, Pt. I, p. 159.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).

Import of the pamphlet called "An open letter to Count Leo Tolstoy."

No. 7911—97, dated the 28th October, 1911.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the pamphlet entitled "An open letter to Count Leo Tolstoy in reply to his 'letter to a Hindoo'" by the editor of *Free Hindusthan*.

[See Gazette of India, 1911, Pt. I, p. 858.]

Import into British India of the "Star of the East."

No. 8374—101, dated the 11th November, 1911.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the publication entitled "Star of the East," published by the Rama Krishna Vedanta Mission in Melbourne, Australia.

[See Gazette of India, 1911, Pt. I, p. 962.]

Import of the "Kanavu" into British India.

No. 9188—107, dated the 23rd December, 1911.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the pamphlets in Tamil entitled "Kanavu, a poem and other songs" and "Arilorupangu, a short story," published by C. Subramanya Bharati and printed at Pondicherry.

[See Gazette of India, 1911, Pt. I, p. 1169.]

Export from British India of dates to the pargana of Nagar Avely in the Portuguese possessions in India.

No. 117—47, dated the 6th January, 1912.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the taking of dates from any part of British India into that portion of the Indian possessions of the Government of Portugal which is known as the Pargana of Nagar Avely.

[See Gazette of India, 1912, Pt. I, p. 23.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import by sea or land by means of the post of hypodermic syringes or needles into Burma.

No. 1548—258 (Exc.), dated the 24th February, 1912.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit, with effect from the 1st of March, 1912, the bringing by sea or by land into Burma, by means of the post, of hypodermic syringes or of needles for hypodermic injections, and to restrict the importation of these articles by other means to cases in which they are imported by a Medical Practitioner or Licensed Pharmacist as defined by the Rules made by the Government of Burma under the Opium Act, 1878 (I of 1878).

[See Gazette of India, 1912, Pt. I, p. 165.]

Import of the Arabic Journal "Al-Balague" into British India.

No. 2440—29, dated the 23rd March, 1912.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the Arabic journal entitled "Al-Balague" published at Beyrout, Syria.

[See Gazette of India, 1912, Pt. I, p. 370.]

Import into British India of the paper "The Islamic Fraternity."

No. 5099—48, dated the 6th July, 1912.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the paper entitled "The Islamic Fraternity" which is printed and published at Tokio, Japan.

[See Gazette of India, 1912, Pt. I, p. 742.]

Import into British India of "British Justice and Honesty."

No. 6237—69, dated the 17th August, 1912.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the pamphlet

**Part II.—General Rules and Orders made under General
Acts of the Governor General in Council—contd.**

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import into British India of "British Justice and Honesty"—contd.

entitled "**British Justice and Honesty**" addressed to the people of
British India by Sir Walter Strickland, Bart., and printed at
England at Institut Orell Fussli.
Zurich, Art [See Gazette of India, 1912, Pt. I, p. 833.]

**Export from British India of Jagri into that part of the Portuguese possessions in
India known as Pargana of Nagar Avely.**

No. 768—212, dated the 12th October, 1912.—In exercise of the
powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of
1878), the Governor General in Council is pleased to prohibit the
taking of Jagri from any part of British India into that portion of the
Indian possessions of the Government of Portugal which is known as
the Pargana of Nagar Avely.

[See Gazette of India, 1912, Pt. I, p. 1136.]

Import into British India of "The Herald of Revolt."

No. 7903, dated the 21st October, 1912.—In exercise of the power
conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878),
the Governor General in Council is pleased to prohibit the bringing, by
land, into British India of any copy of the issue for October,
sea or by the Special Savarkar Release number, of *The Herald of*
1912, entitled and published in London by Guy A. Aldred.
Revolt, printed

[See Gazette of India, 1912, Pt. I, p. 1168.]

**Export of molasses from British India to the Pargana of Nagar Avely in Portuguese
India.**

No. 9540—212, dated the 4th January, 1913.—In exercise of the
powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of
1878), the Governor General in Council is pleased to prohibit the taking
of molasses wherever manufactured from any part of British India
into that portion of the Indian possessions of the Government of
Portugal which is known as the Pargana of Nagar Avely.

[See Gazette of India, 1913, Pt. I, p. 24.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Import into British India of the pamphlet called "The Russian Atrocities in Tabriz."

No. 74-Camp, dated the 15th February, 1913.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of any copy of the anonymous pamphlet of six pages, made up of five pages of lithographed Urdu writing and one illustrated page of English print, headed "The Russian Atrocities in Tabriz."

[See Gazette of India, 1913, Pt. I, p. 147.]

Prohibition of Import of any copy of the leaflet entitled "Yugantar Circular, The Delhi Bomb" and subscribed "Bande Mataram."

No. 189-C., dated the 11th March, 1913.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the leaflet entitled "Yugantar Circular, The Delhi Bomb" and subscribed "Bande Mataram."

[See Gazette of India, 1913, Pt. I, p. 220.]

Prohibition of Import of the paper entitled "El-Islam."

No. 237-C., dated the 22nd March, 1913.—In exercise of the power conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the paper entitled "El-Islam" which is printed and published at Tokio, Japan.

[See Gazette of India, 1913, Pt. I, p. 258.]

Prohibition of the Import of the pamphlet in English entitled "Proclamation of Liberty."

No. 5249-74, dated the 5th July, 1913.—In exercise of the powers conferred by section 19 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet in English entitled "Proclamation of Liberty."

[See Gazette of India, 1913, Pt. I, p. 683.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of the import of the pamphlet in Urdu entitled "The Sword in the Last Resort" (Akhir-ul-Hilasaifo).

No. 5487, dated the 11th July, 1913.—In exercise of the powers conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet in Urdu entitled "The Sword in the Last Resort (*Akhir-ul-Hilasaifo*)."

[*See Gazette of India, 1913, Pt. I, p. 692.*]

Prohibition of the import of the pamphlet entitled "Come over into Macedonia and help us."

No. 5632, dated the 16th July, 1913.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet entitled "Come over into Macedonia and help us," published by "Le Comité de Publication D.A.C.B.," 15, Rue Djagal Oglou, Constantinople.

[*See Gazette of India, 1913, Pt. I, p. 703.*]

Prohibition of the import of the Urdu paper called the "Ghade" (Mutiny).

No. 212-C., dated the 22nd December, 1913.—In exercise of the power conferred by section 19 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of an Urdu paper called the "Ghade" (Mutiny) published by the *Yugantar Ashram* of San Francisco, U. S. A.

[*See Gazette of India, 1913, Pt. I, p. 1388.*]

Rules as to cotton goods ordinarily sold by length or by the piece.

No. 1430, dated the 6th April, 1891.—In exercise of the powers conferred by section 19A, sub-section (2), of the ¹Sea Customs Act, 1878, (as amended by section 11 of the ²Indian Merchandise Marks Act, 1889), and sections 19 and 20 of the ²Indian Merchandise Marks Act, 1889 (as amended by ²Act IX of 1891), the Governor General in Council is pleased to make the subjoined rules and orders:

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Rules as to cotton goods ordinarily sold by length or by the piece—*contd.*

1. Piece-goods, such as are ordinarily sold by length or by the piece, shall be deemed to include woollen goods of all kinds and the under-mentioned descriptions of cotton goods, namely:—

Cambrics.	Longcloths.
Cbecks, Spots, and Stripes.	Madapollams.
Chudders.	Mulls.
Chudder Dhooties.	Muslins.
Dhooties.	Nainsooks.
Domestics.	Printers.
Doorias.	Print.
Drills.	Sarries.
Jaconets.	Scarves (Eklai).
Jeans.	Sheetings.
Lappets.	Shirtings.
Lawns.	Tanjibs.
Lenos.	Twills.

T Cloths and Mexicans.

¹ 2. Other classes of piece-goods shall not be detained if unstamped; and unstamped cotton and woollen piece-goods imported for the personal use of individuals or private associations of individuals and not for trade purposes shall not be detained.

3. Examinations of packages to ascertain whether the goods mentioned in rule 1 are stamped shall be made at frequent intervals at the discretion of the Customs Collector, and either under his personal instructions, or under general orders and instructions given by him to an Assistant Collector.

4. The piece-goods contained in the packages so examined need not be examined when found to be stamped to test the accuracy of the stamping except on information received, or when the Customs Collector has reason to suspect, that the stamping is false.

5. All measurements of piece-goods shall be made on the table.

6. Yarns need not be examined or measured except on information received, or when the Collector has reason to suspect that the trade-description is false.

² 7. An examination of yarns to test the accuracy of the description of count or length shall be made, in the first instance, up to the limit of one bundle in every one hundred bales or fraction of one hundred bales in the consignment.

¹ Rule 2 was substituted by Notification No. 4610-4, dated the 31st March, 1907, see Gazette of India, 1907, Pt. I, p. 401.

² Substituted by Notification No. 2687-S. R., dated 30th June, 1898, see Gazette of India, 1898, Pt. I, p. 714.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Rules as to cotton goods ordinarily sold by length or by the piece—*concl'd.*

¹⁸. If on such examination the difference between the average count or length and the described count or length is in excess of the variations permitted in paragraphs III and IV of the Notification of the Government of India in the Home Department, No. 1474 (Judicial), dated the 13th November, 1891, the importer may require a further examination to be made up to the limit and on the conditions stated in rule 9.

¹⁹. The test to determine length of yarns shall be applied as follows:—

From every one hundred bales, or fraction of one hundred bales in a consignment one bundle should be selected at random. The hanks in this bundle should then be measured on the wrap-reel, one after the other, in the presence of a representative of the importer, and the lengths noted, the process being continued (within the limit of the bundle) until either the importer is satisfied that the yarn is short, or the average of the lengths noted shows that it is of full length.

When the importer is dissatisfied with this test, he may, on payment of the cost, require the Customs Collector to measure more hanks, up to 1 per cent of the total number of hanks in the consignment, such hanks being taken at random, by an officer of Customs out of any bundles in the consignment.

¹⁰. The Customs Collector may require from any informant a security not exceeding five hundred rupees. If the Collector should be satisfied that the information given is wilfully false, the security shall be forfeited.

[See Gazette of India, 1891, Pt. I, p. 187.]

Tariff values on certain imported articles or goods.

No. 10813—128, dated 20th December, 1913.—In exercise of the powers conferred by sections 22 and 23 of the ²Sea Customs Act, 1878 (VIII of 1878), in modification of the tariff values fixed by the Indian Tariff Act, 1894 (VIII of 1894), as amended by the ³Indian Tariff Act (1894) Amendment Act, 1896 (III of 1896), and as further altered from time to time by ⁴notifications of the Governor General in Council, the Governor General in Council is pleased to fix, with effect from the 1st

¹ Substituted by Notification No. 2887-S. R., dated 30th June, 1898, see Gazette of India, 1898, Pt. I, p. 714.

² Genl. Acts, Vol. II.

³ Genl. Acts, Vol. IV.

⁴ This notification is annually revised and re-issued. It is, therefore, not reproduced here.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Tariff values on certain imported articles or goods—*contd*

January, 1914, for the articles specified in column 2 of the schedule hereto annexed, the tariff values stated in column 4 of the said schedule.

[See Gazette of India, 1913, Pt. I, p. 1364.]

Exemption from Customs duty of salt imported under rules for use in any manufacture.

No. 2114-S.R., dated 20th April, 1903.—In exercise of the power conferred by section 23 of the 'Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Notification of the Government of India in the Department of Revenue, Agriculture and Commerce, No. 150, dated the 12th July, 1877, the Governor General in Council is pleased to exempt from Customs duty salt imported into British India and issued, in accordance with rules made with the previous sanction of the Governor General in Council, for use in any process of manufacture.

[See Gazette of India, 1903, Pt. I, p. 289.]

Exemption of certain articles from duty when imported for any unit of His Majesty's army.

No. 582-S.R., dated the 26th January, 1904.—In exercise of the power conferred by section 23 of the 'Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to exempt from the import duty leviable thereon under Schedules II and IV of the 'Indian Tariff Act, 1896 (III of 1896), the following articles when imported direct by any unit of His Majesty's regular forces serving in India for the use of such unit:—

Arms (including rifles, guns, and pistols, lances, lance-heads, Swords) and parts and appurtenances thereof.

Ammunition.

Bicycles.

Typewriters.

Instruments for telegraphic or visual signalling and their appurtenances.

Telephones and appurtenances.

Accoutrements and parts thereof, and materials for their manufacture and repair.

Medals and decorations—including medal ribbons.

Saddlery of a military pattern.

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Exemption of certain articles from duty when imported for any unit of His Majesty's Army—*contd.*

Telescopes.

Veterinary instruments and appliances.

Range finders and parts thereof.

Drawing, surveying and educational, and gymnastic instruments, apparatus and appliances and parts thereof.

Tools and machinery for regimental workshops.

Appliances for games.

[See Gazette of India, 1904, Pt. I, p. 98.]

Exemption from duty of articles required by officers of the Army as such.

No. 583-S.R., dated the 30th January, 1904.—In exercise of the power conferred by section 23 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to exempt from the import duty leviable thereon under Schedules II, III and IV of the ²Indian Tariff Act (1894) Amendment Act, 1896 (III of 1896), the articles mentioned in the following list when imported direct by an officer of His Majesty's regular forces serving in India for his own use; provided that under the regulations and orders for the time being in force the officer is required to maintain the articles in question for the due performance of his military duty.

List of articles.

Rifles of regulation military pattern, and parts and appurtenances thereof.

Ammunition for ditto.

Uniform and accoutrements appertaining thereto.

Saddlery of regulation military pattern.

Binoculars.

Telescopes.

Medicines and drugs.

Medical, Surgical, and Veterinary instruments and appliances.

Range finders.

Drawing and Surveying instruments.

Medals and decorations.

[See Gazette of India, 1904, Pt. I, p. 99.]

¹ Genl. Acts, Vol. II.

² Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Exemption of oil-seeds imported by sea from Native States from duty.

¹No. 9088—118, dated the 30th September, 1908.—In exercise of the power conferred by section 23 of the ²Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to exempt oil-seeds imported into British India by sea from the territories of any Native Prince or Chief in India from the import duty leviable thereon under the ³Indian Tariff Act, 1894 (VIII of 1894), as subsequently amended.

[See Gazette of India, 1908, Pt. I, p. 892.]

Exempting pepper exported by sea from Cochin from duty under section 4 of the Tariff Act, 1894 (VIII of 1894).

No. 4227—38, dated the 9th June, 1910.—In exercise of the power conferred by section 23 of the ²Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to exempt all pepper exported by sea from the port of Cochin from the export duty leviable thereon under section 4 of the ³Indian Tariff Act, 1894 (VIII of 1894), as subsequently amended.

[See Gazette of India, 1910, Pt. I, p. 468.]

Exempting certain accessories of sporting guns from so much of the duty leviable on them as is in excess of 10 per cent *ad valorem*.

No. 3798—90, dated the 27th May, 1911.—In exercise of the power conferred by section 23 of the ²Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of India in the Finance and Commerce Department No. 3838-S. R., dated the 26th June, 1903, the Governor General in Council is pleased to exempt all articles, other than those specified in the list hereto annexed, liable to duty under head 5, 6, 8, 9 or 10, as the case may be, of the Second Schedule to the ³Indian Tariff Act, 1894 (VIII of 1894), as amended by the ⁴Indian Tariff Act, 1894, Amendment Act, 1896 (III of 1896), from so much of the duty leviable thereunder on importation into British India as is in excess of a duty of 10 per cent *ad valorem*:

List above referred to.

Main springs and Magazine springs.

Gun-stocks and Breech blocks.

¹ Now embodied in Arts. 61 and 41 respectively, of schedule to Notification No. 9388—129, dated 17th December, 1909, *supra*.

² Genl. Acts, Vol. II.

³ Genl. Acts, Vol. IV.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).

Exempting certain accessories of sporting guns from so much of the duty leviable on them as is in excess of 10 per cent *ad valorem*—*contd.*

Actions (including skeleton and waster).

Breech bolts and their heads.

Cocking pieces.

Locks (for Muzzle-Loading arms).

Machines for making, loading, closing or capping cartridges for rifled arms.

[See Gazette of India, 1911, Pt. I, p. 3687.]

Exemption of Indian tea exported from any Customs port in Burma to any port beyond the limits of British India or to Aden from the Customs duty leviable under section 3 of the Indian Tea Cess Act, 1903.

No. 4709-49, dated the 21st June, 1913.—In exercise of the power conferred by section 23 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to exempt all Indian tea exported from any Customs port in Burma to any port beyond the limits of British India or to Aden from the Customs duty leviable thereon under section 3 of the Indian Tea Cess Act, 1903.

[See Gazette of India, 1913, Pt. I, p. 648.]

Prohibition of payment of drawback on re-exportation of goods to foreign ports in India; of transhipment of such goods and of exportation of warehoused goods to such ports.

No. 77, dated the 7th May, 1879.—In exercise of the power conferred by section 49 (b) of the ¹Sea Customs Act, 1878, the Governor General in Council is pleased to prohibit the payment of drawback upon the re-exportation of goods to any of the undermentioned foreign ports in India; and in exercise of the power conferred by section 134 of the said Act, the Governor General in Council is also pleased to prohibit at all Customs ports transhipment of goods liable to Customs duties on importation when such goods are destined for any of the said foreign ports in India; and in exercise of the power conferred by section 111 of the said Act, the Governor General in Council is further pleased to prohibit the shipment for exportation to any of the said foreign ports in India of warehoused goods in respect of which payment of drawback and transhipment are hereby prohibited under sections 49 and 134 of the said Act, respectively.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Prohibition of payment of drawback on re-exportation of goods to foreign ports in India; of transhipment of such goods and of exportation of warehoused goods to such ports—*contd.*

List of the foreign ports to which this notification applies:—

In Cutch.

Jakhawu.
Koteshur.
Lakhsat.
Mandvi.
Mundra.
Madharpur.
Mahuwa.
Mangrol.
Miani.
Nawabandar (under Junagarh).
Nawabandar (under Nawa-
nagar).
Nawi-bandar.
Pimpawao.
Rohar.
Tuna.

In Kattywar.

Beri.
Bherai.
Chorwad.
Jafarabad.
Jinjura.
Joria.
Kathiwadar.
Porbandar.
Satya.
Sundrai.
Sutrapara.
Talaja.
Verawal.
Wawanya.

Foreign European Port.

Diu.

1* * *

[See Gazette of India, 1879, Pt. I, p. 344.]

Identification of certain gums for purposes of section 49 (a) of Act VIII of 1878.

No. 1117, dated the 10th June, 1881.—In exercise of the powers conferred by section 49, clause (u) of the ² Sea Customs Act, 1878, the Governor General in Council is pleased to declare that gum arabic, gum benjamin, and gum olibanum or frankincense shall not for the purpose of Chapter VI of the said Act be deemed to be capable of being easily identified.

[See Gazette of India, 1881, Pt. I, p. 227.]

¹ Cancelled by Notification No. 2547-S. R., dated 23rd June, 1893, see Gazette of India, 1893, Pt. I, p. 606.

² Genl. Acts, Vol. II.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII of 1878).

Exemption of goods transhipped at Negapatam from payment of duty.

No. 93-S. R., dated the 5th January, 1901.—In exercise of the power conferred by section 128 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to direct that Negapatam, in the District of Tanjore in the Madras Presidency, shall be added to the list of ports mentioned in that section in which the Customs Collector may, on application by the owner of any goods imported into such port and specially and distinctly manifested at the time of importation as for transhipment to some other Customs or foreign port, grant leave to tranship the same without payment of the duty (if any) leviable at such port of transhipment and without any security or bond for the due arrival and entry of the goods at the port of destination.

[See Gazette of India, 1901, Pt. I, p. 31.]

Transhipment of salt at Aden.

No. 3713-S. R., dated the 22nd June, 1896.—In exercise of the powers conferred by section 134 of the ¹Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit, except in special cases with the written permission of the Political Resident, Aden, the transhipment of salt at the Port of Aden.

[See Gazette of India, 1896, Pt. I, p. 478.]

Transhipment at Bombay or Karachi of petroleum unless duty has been paid.

No. 2276, dated the 2nd May, 1888.—In exercise of the power conferred by section 134 of the ¹Sea Customs Act, 1878, the Governor General in Council is pleased to prohibit the transhipment, under the provisions of Chapter XII of the said Act, at the Ports of Bombay and Karachi, for conveyance to any Customs port, of petroleum which under Act II of 1888 is liable to Customs duty, unless and until Customs duty has been paid upon such petroleum at either of the said Ports of Bombay or Karachi.

[See Gazette of India, 1888, Pt. I, p. 208.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Transhipment of sugar from Karachi and shipment of warehoused sugar intended for certain ports.

No. 1248-S. R., dated the 3rd March, 1903.—In exercise of the power conferred by section 134 of the ¹ Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the transhipment at Karachi of sugar destined for any of the ports specified below; and in exercise of the power conferred by section 111 of the said Act, the Governor General in Council is further pleased to prohibit the shipment at Karachi of warehoused sugar for exportation to any of the said ports.

Ports.

On the Mekran Coast.

Sonmiani.

Lyori.

Gagoo.

Ormara.

Pansi.

Gwadar.

Gwatar.

Charbar.

Girishk.

Jask.

On the Persian Coast.

Kishm.

Bandar Ahhas.

Lingah.

Bushire.

Mohammerah.

In Asiatic Turkey.

Fao.

Basra.

Bagdad.

Koweit.

Katif.

On the Arabian Coast.

Bohreïn.

Abn-Dthabi.

Debaye.

Shargah.

Ejman.

Ras-el-Khoïma.

Muscat.

Soor.

Makallah.

[See Gazette of India, 1903, Pt. I, p. 180.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Exemption of goods transhipped at Negapatam from payment of duty.

No. 93-S. R., dated the 5th January, 1901.—In exercise of the power conferred by section 128 of the ¹ Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to direct that Negapatam, in the District of Tanjore in the Madras Presidency, shall be added to the list of ports mentioned in that section in which the Customs Collector may, on application by the owner of any goods imported into such port and specially and distinctly manifested at the time of importation as for transhipment to some other Customs or foreign port, grant leave to tranship the same without payment of the duty (if any) leviable at such port of transhipment and without any security or bond for the due arrival and entry of the goods at the port of destination.

[*See Gazette of India, 1901, Pt. I, p. 31.*]

Transhipment of salt at Aden.

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[*See Gazette of India, 1888, Pt. I, p. 208.*]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE SEA CUSTOMS ACT, 1878 (VIII OF 1878).

Transhipment of sugar from Karachi and shipment of warehoused sugar intended for certain ports.

No. 1248-S. R., dated the 3rd March, 1903.—In exercise of the power conferred by section 134 of the ¹ Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the transhipment at Karachi of sugar destined for any of the ports specified below; and in exercise of the power conferred by section 111 of the said Act, the Governor General in Council is further pleased to prohibit the shipment at Karachi of warehoused sugar for exportation to any of the said ports.

Ports.

On the Mekran Coast.

Sonmiani.

Lyari.

Gagoo.

Ormara.

Pansi.

Gwadar.

Gwatar.

Charbar.

Girishk.

Jask.

On the Persian Coast.

Kishm.

Bandar Abbas.

Lingah.

Bushire.

Mohammerah.

In Asiatic Turkey.

Fao.

Basra.

Bagdad.

Koweit.

Katif.

On the Arabian Coast.

Bahrein.

Abu-Dthabi.

Debye.

Shargah.

Ejjan.

Ras-el-Khaima.

Muscat.

Soor.

Makallah.

[See Gazette of India, 1903, Pt. I, p. 180.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Date of operation of Act.

No. 1169, dated the 27th June, 1878.—The Governor General in Council is pleased to direct under section 2 of the “Indian Arms Act, 1878,” that the said Act shall come into force on the 1st October, 1878.

[See Gazette of India, 1878, Pt. I, p. 389.]

Rules relating to Arms, Ammunition and Military Stores.

No. 3102, dated the 16th August, 1909.—In exercise of the powers conferred by sections 4, 10, 11, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), and in supersession of all previous Notifications on the same subject, the Governor General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores:

Provided that all exemptions, exclusions or withdrawals made, all licenses or duplicates granted or renewed, all fees imposed, levied, remitted or reduced and all powers conferred by or under any Notification hereby superseded, and in force at the commencement of this Notification, shall, so far as they are consistent herewith, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

THE INDIAN ARMS RULES, 1909.

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THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

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26. Possession of fire-arms, ammunition or military stores.

Possession and going Armed.

27. Possession of arms and ammunition and going armed for sport, protection or display.
28. Possession of arms and ammunition and going armed for the destruction of wild animals.
29. Possession of arms and ammunition and going armed for the protection of crops.
30. Going armed on a journey.

Possession and Import or Transport.

31. Possession by dealers of certain balled ammunition, with liberty to import.
32. Possession and transport by cultivators and contractors of certain blasting material.

Applications for and grant of Licenses.

33. Consent or previous sanction in certain cases.
34. Particulars to be stated in applications.
35. Form and language of licenses.
36. Duration and renewal of licenses.
37. Discretion and control of authorities empowered to grant licenses.
38. Obligation to produce licenses.

Fees.

39. Fees payable for licenses.
40. Fees payable for duplicates.
41. Collection and refund of fees.

THE SCHEDULES.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

THE RULES.

- Short title. 1. These rules may be called the Indian Arms Rules, 1909. -
- Interpretation. 2. In these rules, unless there is anything repugnant in the subject or context—
- (a) all words and expressions, which are defined in the 'General Clauses Act, 1897, shall have the meanings respectively assigned to them thereby; and the provisions of sections 9, 10 and 13 to 19 of the said Act shall be deemed to apply as if these rules were an enactment made by the Governor General in Council after the commencement of the said Act,
- (b) all references to the "Magistrate of the District" shall, in the case of Aden, be construed as referring to the Assistant Resident.

Application of the Act.

Exemption, exclusion and withdrawal. 3. ¹(1) Under section 27,—

- (a) the persons and classes of persons,
 (b) the arms and ammunition, and
 (c) the parts of British India,

specified or described in Schedules I to IV are, respectively, exempted, excluded and withdrawn, to the extent there indicated, from the operation of prohibitions and directions contained in the Act.

²(2) The exemptions specified in Schedule I are conferred subject to the condition that they shall not be deemed to render lawful the import of arms or ammunition ³[or the transport within the province of Burma of arms, ammunition or military stores through the medium of the Post Office].

4. For the purposes of the definition of "military stores" contained in section 4, all sections of the Act are extended, throughout British India, to all lead, sulphur and saltpetre.
- Extension.

¹ Genl. Acts, Vol. IV.

² Inserted by Notification No. 4410, dated the 23rd July, 1910, with effect from the 23rd October, 1910, see Gazette of India, 1910, Pt. I, p. 610.

³ Inserted in sub-rule (2) by Notification No. 2009, dated the 7th July, 1911, see Gazette of India, 1911, Pt. I, p. 572.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

Searching Posts.

5. For the purposes of section 11, searching posts shall be established at the land custom-houses between British India and—
 Searching posts.

- (a) the French Settlements on the eastern and western coasts,
and
- (b) the Portugese Settlements on the western coast.

Import.

Restriction upon import of cannon and certain other articles.

6. (1) A license for the import of—

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

- (a) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or
- (b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

Restriction upon import of arms, ammunition and military stores from Portuguese India.

7. A license shall not be granted for the import of any arms, ammunition or military stores from Portuguese India.

¹[Provided that nothing in this rule shall be deemed to limit or otherwise affect the power to grant a license for the import of explosives which, in the opinion of the authority granting the license, are intended in good faith for blasting purposes.]

Restriction upon import of certain rifles.

8. (1) A license shall not be granted for the import by sea or river or land—

- (a) of rifles of .303 or of .450 bore or parts of or fittings for rifles of such bores or, save as otherwise provided by rule 31, of

¹ Inserted by Notification No. 266, dated the 9th April, 1911, Gazette of India, 1911, Pt. I, p. 95.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

ammunition which can be fired from such rifles ¹[or appliances, the object of which is the silencing of the fire-arms];

- (b) save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department, of rifles, or parts of or fittings for rifles, of any other bore;

²[(c) of any arms or ammunition into British India through the medium of the Post Office.]

(2) Nothing in sub-rule (1), clause (b), shall be deemed to limit or otherwise affect the power to grant, save as otherwise provided by rule 7, a license for the import of rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

Import of arms, ammunition or military stores into certain ports.

9. (1) Save as otherwise provided by rules 6 to Form 8, a license may, subject to the provisions of sub-rule (2), be granted for the import by sea—

- (a) of arms, ammunition or military stores, at any Presidency-town and at Rangoon, by the Commissioner of Police;
- (b) of arms, ammunition or military stores, at the ports of Calicut, Karachi and Aden, by the District Magistrate;
- (c) of saltpetre or lead, at the ports of Akyab and Moulmein, by the District Magistrate; and
- (d) of sulphur in reasonable quantities proved to the satisfaction of the Government of Madras to be required in good faith for medicinal, manufacturing or agricultural purposes, in respect of the port of Tuticorin, by the said Government.

(2) All arms, ammunition or military stores imported into Aden shall be—

- (a) landed at the Abkari Pier at Tawahi only, and
- (b) removed thence by the importer to such Government warehouse as the Resident may, from time to time, appoint in this behalf.

¹ Added by Notification No. 1904, dated the 26th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

² Substituted with effect from the 23rd October, 1910, for the original rule which was the same except that the word "fire" has been omitted before arms and "Burma" altered to "British India," see Notification No. 4410, dated the 23rd July, 1910, Gazette of India, 1910, Pt. I, p. 610.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports. 10. Save as otherwise provided by rules 6 to 8, Form II. a license for the import by sea of arms, ammunition or military stores—

- (a) from the port of Madras into the port of Tuticorin, Cochin, Bimlipatam, Coconada, Negapatam, Mangalore, Gopalpore, Vizagapatam, Pamban or Masulipatam, or
- (b) from the port of Rangoon into the port of Akyab, Moulmein, Sandoway, Kyaukpyu ¹[Tavoy, Mergui or Victoria Point],
- (c) from the port of Bombay into the port of Cochin or Mangalore,

may be granted by the Magistrate of the district in which the port of import is situated.

11. (1) Save as otherwise provided by rules 6 to 8, and subject to Form III. Import by land or river of arms, ammunition or military stores, otherwise than into Ajmer-Merwara. the provisions of rule 33, sub-rule (2), a license for the import by land or river, otherwise than into Ajmer-Merwara, of arms, ammunition or military stores may be granted,—

- (a) where the arms, ammunition or stores are consigned to a Presidency-town or to Rangoon, by the Commissioner of Police, or
- (b) where they are consigned to any other place, by the Magistrate of the district in which such place is situated.

(2) Where arms belonging to any person who—

- (a) resides in a Native State in India, and
- (b) is exempted under Schedule I from the necessity for taking out a license in respect of such arms,

are imported solely for the purpose of repair, the Political Agent for such State may grant a similar license which shall also cover the re-export to such State of such arms.

(3) Where the arms, ammunition or stores are imported from a Native State, a copy of the license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are imported by road or river and consigned to a district not on the frontier of British India a copy of the license shall be forthwith sent to the Magistrate of the district into which they cross such frontier; and such Magistrate may,

¹ Substituted by Notification No. 1028, dated the 17th July, 1913, see Gazette of India, 1913, Pt. I, p. 714.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are imported by rail, a copy of the license shall be forthwith sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

12. (1) Save as otherwise provided by rules 6 to 8, a license for the Form I
Imports of arms, am- import into the district of Ajmer-Merwara of
munition or military stores arms, ammunition or military stores may be
into Ajmer-Merwara. granted—

- (a) under the signature of the Secretary to the Government of India in the Foreign Department, or
- (b) under the signature of a Secretary to the Government of Bombay, provided that the ammunition is *bonâ fide* required for the exclusive use of the Rajputana-Malwa Railway; and that the application for such license is made by a responsible officer of the said Railway, or
- (c) by any other officer specially empowered by the Government of India in this behalf.

(2) A copy of every license granted under sub-rule (1) shall be forthwith sent to the Commissioner of the district of Ajmer-Merwara.

(3) Where the arms, ammunition or stores are imported by rail, a copy shall be forthwith sent by the officer granting the license to the railway authorities at the place to which such arms, ammunition or stores are consigned.

13. (1) The railway authorities, to whom a copy of a license has
Scrutiny by railway au- been sent under rule 11, sub-rule (5), or rule 12,
thorities of consignments. sub-rule (3), shall require the consignee to
produce the original license, and shall satisfy
themselves—

- (a) that the arms, ammunition or stores claimed by him correspond with the description given in such license, and
- (b) that such license is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

- (a) the consignee fails to produce the original license, or
- (b) the arms, ammunition or stores claimed by him do not correspond with the description given in such license, or
- (c) the license is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment, and shall forthwith inform the nearest Magistrate.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

14. (1) The consignee of arms, ammunition or military stores imported under a license shall—
 Production and delivery of import licenses.

(a) where the consignment crosses the frontier by land or river, produce the license, within six days of such crossing, before the Magistrate of the district into which the consignment so crosses, or other officer empowered by him in this behalf; and

(b) in any case in which the consignment is imported by land or river, deliver the license, within six days of the arrival of such consignment at its destination—

(i) in any Presidency-town or Rangoon, to the Commissioner of Police, or

(ii) in any other place, to the Magistrate of the district.

(2) Every officer before whom a license is produced or to whom a license is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the license; and

(b) that any deficiency is properly accounted for.

Export.

15. (1) A license shall not be granted, save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the District of Ajmer-Merwara is concerned, in the Foreign Department, for the export by sea of—

(a) cannon, or

(b) save as otherwise provided in sub-rule (2), rifles, or parts of or fittings for rifles.

(2) Nothing in sub-rule (1), clause (b), shall be deemed to limit or otherwise affect the power to grant a license for the export by sea of rifles, or parts of or fittings for rifles which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

16. (1) Save as otherwise provided by rule 15, a license for the export **Form V.**
 Export by sea of arms, ammunition or military stores may, subject to the provisions of sub-rules (2) and (4), be granted—

(a) at the port of any Presidency-town or Rangoon, by the Commissioner of Police, or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(b) at the port of Calicut, Karachi or Aden, by the Magistrate of the district.

(2) Save as otherwise provided in sub-rule (3), every license granted under sub-rule (1) shall be for export either—

(a) subject to the provisions of rule 33, sub-rule (2), to such of the ports mentioned in clause (a) or clause (b) of sub-rule (1), or

(b) from the port of Madras to such of the ports mentioned in rule 10 (a), or

(c) from the port of Rangoon to such of the ports mentioned in rule 10 (b), or

(d) from the port of Bombay to such of the ports mentioned in rule 10 (c), or

(e) to such other place in His Majesty's dominions outside India,

as may be specified or described therein.

(3) A license may be granted at any of the ports mentioned in clause (a) or clause (b) of sub-rule (1) for the export by sea of saltpetre or lead to the ports of Akyab or Moulmein.

(4) A copy of every license of the nature referred to in clauses (a), (b), (c) and (d) of sub-rule (2) and in sub-rule (3) shall be forthwith sent—

(a) where the arms, ammunition or stores are consigned to any Presidency-town or Rangoon, to the Commissioner of Police, or

(b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

17. (1) A license may be granted under the signature of the Secretary to the Government of India in the Foreign Department, or by the officers enumerated in column 1 of Schedule V from the ports mentioned in column 2 to the ports mentioned in column 3, and subject to the conditions mentioned in column 4 in each case, for the export by sea of arms other than—

Export by sea of arms, ammunition or military stores from certain ports to ports in Native States or foreign territory.

(a) cannon, or

(b) such rifles or parts of or fittings for rifles as fall within the restriction imposed by rule 15,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

or for the export by sea of ammunition or military stores from any of the ports of Madras, Bombay, Calcutta, Rangoon, Calicut, Karachi, or Aden—

- (i) to any port in any Native State in India, or
- (ii) subject to the provisions of sub-rule ¹[(2)], to any port, other than a British port, in any other foreign territory.

(2) A license shall not be granted under sub-rule (1) for export to any such port on the sea-board of Arabia as is referred to in clause (ii) of that sub-rule, other than a port in the political charge of the Resident—

- (a) at Aden,
- (b) in the Persian Gulf, or
- (c) in Turkish Arabia.

(3) A copy of every license issued under this rule for the export of arms, ammunition or military stores to any port in a Native State in India or to any port in the political charge of the Resident at Aden or of the Political Resident in the Persian Gulf, or of the Political Resident in Turkish Arabia shall be sent forthwith by the authority granting it to the Political Agent, Resident (unless the Resident at Aden be the authority granting the license), or the Political Resident concerned, and such Political Agent, Resident or Political Resident may, in his discretion, require the licensee or his agent to produce the arms, ammunition or military stores covered by such license for his inspection before permitting them or it to be delivered to the consignee.

(4) The authority granting a license under this rule shall also send a copy of such license to the agents or master of the vessel by which it is intended that the arms, ammunition or military stores covered by the license shall be shipped to the port of destination, and such agents or master shall not receive for despatch any case or package containing arms, ammunition or military stores unless such case or package is accompanied by the original license, and shall satisfy themselves or himself—

- (a) that the arms, ammunition or stores correspond with the description given in such license, and
- (b) that such license is identical in substance with the copy sent to them or him.

¹ Substituted by Notification No. 236, dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(5) Where in any case referred to in sub-rule '[(4)]—

- (a) the case or package is not accompanied by the original license, or
- (b) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or
- (c) the license is not identical in substance with the copy sent to them or him, such agents or master shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

Export by land or river of arms, ammunition or military stores to Native States or out of Ajmer-Merwara.

18. (1) A license for the export by land or river—
Form VII.

(a) of arms, ammunition or military stores to any place beyond the frontier of British India, or

(b) of arms, ammunition or military stores out of the district of Ajmer-Merwara, may be granted—

(i) under the signature of the Secretary to the Government of India in the Foreign Department, or

(ii) by the officers enumerated in column 1 of Schedule VI for the places mentioned in column 2 and subject to the conditions mentioned in column 3 in each case.

(2) A license for the export by land or river of arms, ammunition or military stores to any Native State in the political charge of the Government of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab or Eastern Bengal and Assam, or of the Chief Commissioner of the Central Provinces may be granted under the signature of a Secretary to such Government or such Chief Commissioner, respectively, or by such other officer as may be empowered by the Government of India in this behalf.

(3) Where any arms, ammunition or stores exported under a license granted under this rule are exported to a Native State, a copy of such license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are exported by road or river, a copy of the license shall be forthwith sent to the Magistrate of the district out of which they cross the frontier of British India; and such Magistrate may, in his discretion, require the licensee to

¹ Substituted by para. 2 of Notification No. 236-P., dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 63.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are exported by rail, a copy of the license shall be forthwith sent by the authority granting it,—

- (a) in the case of a consignment despatched from a Presidency-town or from Rangoon, to the Commissioner of Police, and
- (b) in all other cases, to the Magistrate of the district from which the consignment is to be despatched.

(6) The Commissioner of Police or Magistrate of the district shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched; and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original license and shall satisfy themselves—

- (a) that the arms, ammunition or stores correspond with the description given in such license, and
- (b) that such license is identical in substance with the copy sent to them.

(7) Where in any case referred to in sub-rule (6)—

- (a) the case or package is not accompanied by the original license, or
- (b) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or
- (c) the license is not identical in substance with the copy sent to them, such authorities shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

Delivery of export licenses. 19. (1) Where any arms, ammunition or military stores are exported by road or river,—

- (a) the consignee, or
- (b) if the arms, ammunition or stores are in charge of any person travelling with them, such person

shall, within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, deliver the license to the Magistrate of such district or other officer empowered by him in this behalf.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(2) Every officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

- (a) that the arms, ammunition or stores correspond with the description given in the license, and
- (b) that any deficiency is properly accounted for.

¹[*Import and Re-export.*]

¹[19A. Where a vessel bound for a port other than a port in British India, calls at any port in British India in the course of its voyage, any arms, ammunition or military stores in the possession of any passenger not exempted from liability to take out a license in respect of such possession shall be delivered by him to the Customs Collector to be detained until his departure by sea, and it shall not be necessary for such passenger to take out any license in respect of arms, ammunition or military stores so delivered and detained.]

²[19B. The transmission by post within the province of Burma of arms, ammunition or military stores in prohibited.]

Prohibition of transport by post of arms, ammunition or military stores within the province of Burma.

Transport.

20. (1) Save as herein otherwise provided, the transport of any description of arms, ammunition or military stores is prohibited over the whole of British India, except under a license and to the extent and in the manner permitted by such license.

Prohibition of transport of arms, ammunition or military stores otherwise than under license.

(2) Subject to the provisions of rule 33, nothing in sub-rule (1) shall be deemed to apply to—

- (a) arms, ammunition or military stores which are covered by a license for their import or export and are being transported in accordance with such license—

- (i) from the port or other place of import to the place of destination in British India;

¹ Rule 19A and its heading was inserted by Notification No. 4959, dated the 30th September, 1910, see Gazette of India, 1910, Pt. I, p. 1910.

² Rule 19B was inserted by Notification No. 2009, dated the 7th July, 1911, see Gazette of India, 1911, Pt. I, p. 572.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

- (ii) from the place of despatch in British India to the port or other place of export;
- (iii) in the port of import and re-export during transshipment.
- (b) arms, ammunition or military stores transported—
 - (i) by any person, licensed to possess such articles or exempted from the liability to obtain such a license, in reasonable quantities for his own use from the premises of a licensed dealer, or
 - (ii) by a licensed dealer, in a case or package legibly addressed to such a person as is referred to in clause (1) in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use; or
- (c) arms and ammunition transported, in reasonable quantities for his own use, by any person lawfully entitled to possess arms or to go armed.

Restriction upon
transport of cannon and
certain other articles.

21. (1) A license for the transport of—

Form I.

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

- (a) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or
- (b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

22. (1) Save as otherwise provided by rule 21, and subject to the Form VIII.

Transport of arms, am-
munition or military
stores.

provisions of rule 33, sub-rules (2) and (3), and rule 36, sub-rule (2), a license for the transport of arms, ammunition or military stores may be granted—

- (a) where the arms, ammunition or stores are consigned from a Presidency-town or from Rangoon, by the Commissioner of Police, or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(b) where they are consigned from any other place, by the Magistrate of the district in which such place is situated,

(c) where they are consigned from any place in Baroda to any other place in Baroda separated therefrom by British Indian territory, by the Resident or Assistant Resident in Baroda.

(2) A copy of every license granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall be forthwith sent—

(a) where the arms, ammunition or stores are consigned to any Presidency-town or Rangoon, to the Commissioner of Police, or

(b) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

(3) A copy of every license granted under sub-rule (1) by the Magistrate of a district for transport within the limits of such district shall be forthwith sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the license shall be attached to the way-bill or invoice as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not leave the railway premises unless the railway police or, if there are no railway police, the railway authorities, has satisfied themselves that the arms, ammunition or military stores correspond with the description given in the license.

23. (1) The consignee of any arms, ammunition or military stores
Delivery of transport transported by land or river under a license,
licenses. shall deliver the license, within
six days of the arrival of the consignment at its destination,—

(a) in any Presidency-town or Rangoon, to the Commissioner of Police, or

(b) in any other place, to the District Magistrate having jurisdiction over the place of destination or such other Magistrate as he may appoint for this purpose.

¹ The words and figures "other than a general license granted under rule 32, sub-rule (2)," were cancelled by Notification No. 3857, dated the 8th July, 1910, see Gazette of India, 1910, Pt. I, p. 566.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(2) Any officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or military stores correspond with the description given in the license, and

(b) that any deficiency is properly accounted for,

and any subordinate Magistrate, to whom a license is delivered under clause (b) of that sub-rule, shall return to the Magistrate of the district.

Manufacture and sale.

24. (1) A license—

Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.

(a) to manufacture, convert, sell or keep and Form X.
sell, or

(b) to keep and sell

Form XII.

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted—

(i) in any Presidency-town or Rangoon, by the Commissioner of Police, or

(ii) in any other place, by the Magistrate of the district.

(2) A license—

(a) to manufacture, convert, sell or keep and sell, or

Form XIII.

(b) to keep and sell

Form XIV.

breech-loading rifles, rifle ammunition or military stores for rifles shall not be granted save—

(i) by the Local Government, or

(ii) in Sind, by the Commissioner in Sind.

(3) The Local Government or the Commissioner in Sind may, by licenses granted by it or him under this rule, authorize selected dealers to keep and sell a specified amount of ammunition for rifles of .303 or of .450 bore :

Provided that the licensee shall not sell from his stock to any person who does not hold—

(a) a license to possess such ammunition, or

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(b) a license for the export of balled ammunition from a Native State granted by a Political Officer under the third proviso to the second paragraph of the Resolution of the Government of India in the Foreign Department, No. 3001-I.A., dated the 27th June, 1903.

(4) Every Magistrate and every Police-officer not below the rank of Inspector, or, if the Local Government so directs, of Sub-Inspector may, within the local limits of his authority,—

- (a) enter and inspect any premises in which arms or ammunition or military stores, including sulphur, are manufactured, converted, sold, or kept and sold, and
- (b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

Possession.

25. (1) A license for the possession of—

Form I.

Restriction upon possession of cannon and certain other articles.

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

- (a) where the articles are to be kept in any Presidency-town or Rangoon, to the Commissioner of Police; or
- (b) where they are to be kept in any other place, to the Magistrate of the district.

26. Save as otherwise provided by rule 25 and rule 33, sub-rules Form XV.

Possession of fire-arms, (2) and (4), a license for the possession only of ammunition or military fire-arms, ammunition or military stores may be granted by the Magistrate of any district, or in the Presidency-towns or Rangoon, by the Commissioner of Police.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

Possession and going Armed.

27. (1) Save as otherwise provided in rule 25 and rule 33, sub-
 Possession of arms and ammunition and going armed for sport, protection or display. rules (2) and (4), a license for the possession of arms and ammunition in reasonable quantities and for going armed for the purposes of sport, protection or display may, subject to the provisions of sub-rules (4) and (5) of this rule, be granted—

Form XVI

(a) in any Presidency-town or Rangoon, by the Commissioner of Police, or

(b) in any other place, by the Magistrate of the district,

provided that no license shall be granted for the possession of rifles of the '303 or '450 bore or ammunition for the same, or for going armed with such rifles, unless such rifles and ammunition have been lawfully imported into British India.

(2) A license granted under sub-rule (1) shall on countersignature—

(a) by the Commissioner, or

(b) where there are no Commissioners, by such other officer as the Local Government may empower in this behalf,

be valid for such divisions or districts within the Province as he may specify.

(3) In places to which section 15 applies, a license may be granted under sub-rule (1) to the heir or successor of any person to whom arms have been presented by or under the orders of the Government, in respect of such arms.

(4) A license may be granted under sub-rule (1) for the possession of reasonable quantities of balled ammunition which can be fired from rifles of '303 or '450 bores to any person lawfully in possession, for sporting purposes of a rifle of such bore.

(5) On every license of the nature referred to in sub-rule (4) there shall be entered the amount of balled ammunition which the licensee may possess during the period of twelve months next ensuing.

28. Save as otherwise provided by ¹[rule 33, sub-rule (2)] a license

Form XVII

Possession of arms and ammunition and going armed for the destruction of wild animals. for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted by the Magistrate of any district.

¹ Substituted by Notification No. 1028, dated the 17th July, 1913, see Gazette of India, 1913, Pt. I, p. 714.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

29. Save as otherwise provided by ¹[rule 33, sub-rule (2)], a license Form XVIII. for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted by the Magistrate of any district:—
- Possession of arms and ammunition and going armed for the protection of crops.
- .. Provided that such license—
- (a) shall only be granted to *bona fide* cultivators;
 - (b) shall be valid only for the place or tract specified in the license by the licensing officer.
30. (1) Save as otherwise provided by rule 33, sub-rules (2) and (4), Form XIX. Going armed on a journey. a license for going armed on a journey in or through any Province may be granted,—
- (a) in any Presidency-town or Rangoon, by the Commissioner of Police;
 - (b) in any other place, by the Magistrate of the district; or
 - (c) in the case of a person residing in any Native State in India, by the Political Agent for such State.
- (2) Where a Commissioner of Police or Magistrate of a district receives an application for a license of the nature referred to in sub-rule (1) from any person who—
- (a) is not resident within the local limits of his authority; or
 - (b) is not personally known to him, he shall, before granting the license, ascertain—
- (i) when the applicant resides in any Presidency-town or Rangoon, from the Commissioner of Police,
 - (ii) when the applicant resides in any other place in British India, from the Magistrate of the district, or
 - (iii) when the applicant resides in any Native State in India, from the Political Agent for such State,
- whether there is any objection to the grant of the license, unless, for reasons to be recorded, he considers this precaution to be clearly unnecessary.

Possession and Import or Transport.

31. (1) A licensed dealer authorized by the Local Government under rule 24, sub-rule (3), to keep and sell a specified amount of ball ammunition for rifles of 303 or of 450 bore may be permitted—
- Possession by dealers of certain ball ammunition with liberty to import.
- (a) in any Presidency-town or Rangoon, by the Commissioner of Police, or

¹ Substituted by Notification No. 1023, dated the 17th July, 1913, see Gazette of India, 1913, Pt. I, p. 714.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

(b) in any other place, by the Magistrate of the district, to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his license and, if permission is granted, the authority granting it shall endorse on the license the quantity of balled ammunition for which, and the date on which, such permission was granted.

32. *Cancelled by Notification No. 3857, dated the 8th July, 1910, see Gazette of India, 1910, Pt. I, p. 566:*

Applications for and grant of licenses.

33. (1) A license, having effect beyond the local limits of the authority of the officer granting it, shall not be granted for the export, import or transport of any arms, ammunition or military stores—
Consent or previous sanction in certain cases.

(a) to any Native State in India, without the consent of the Political Agent for such State;

provided that the consent of such Political Agent shall not be necessary in cases where the consignee is a European subject of His Majesty and a gazetted civil or commissioned military officer, and the consignment is intended for the personal use only of the consignee;

(b) to any Presidency-town or Rangoon, without the consent of the Commissioner of Police; or

(c) to any other place in British India, without the consent of the Magistrate of the district.

¹[(d) at any port within the political charge of the Political Resident at Aden, the Political Resident in the Persian Gulf and the Political Resident in Turkish Arabia, without the consent of such Political Resident.]

(2) Save by the Commissioner of Police in any Presidency-town or Rangoon, a license shall not be granted under rule 11, rule 16, sub-rule (2), clause (a), rule 22, rule 26, rule 27, rule 28, rule 29, or rule 30 in respect of any breech-loading rifle or balled ammunition without the previous sanction—

(a) in the Madras Presidency, of the Board of Revenue;

(b) in the province of Coorg, of the Chief Commissioner; or

(c) in any other place, of the Commissioner.

¹Clause (d) was added by Notification No. 1326, dated the 21st September, 1911, see Gazette of India, 1911, Pt. I, p. 773.

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

(3) Save as aforesaid a license shall not be granted under rule 23 for the transport of any breech-loading rifle or ball ammunition to any place in—

- (a) the North-West Frontier Province, or
- (b) the Rawalpindi or the Dera Ghazi Khan or the Mianwali or the Attock District of the Punjab,

without the previous sanction—

- (i) of the Local Government, or
- (ii) where the rifle or ammunition is transported from Sind, of the Commissioner in Sind.

¹[(4) A license shall not be granted under rule 26, rule 27, sub-rule (1), clause (b), or rule 30, sub-rule (1), in respect of fire-arms and ammunition therefor by any Magistrate of a District in Burma without the previous sanction of the Commissioner.]

(5) The consent or previous sanction referred to in this rule may be obtained either—

- (a) by the applicant for the license, or
- (b) by the officer to whom application for the grant of such license is made.

(6) Where the consent or previous sanction is sought by the officer to whom application for the grant of the license is made, he shall send a copy of the proposed license to the authority whose consent or previous sanction is required; and on receipt of the reply of such authority, he shall either grant the license or inform the applicant that his application is refused.

34. (1) Every person who wishes to obtain a license under these rules shall apply in writing to the nearest authority empowered to grant such license, and shall in such application furnish all such particulars as may be necessary to enable such license to be granted.

(2) In particular and without prejudice to the generality of sub-rule (1) every application for a license—

- (a) for the import by land or river,
- (b) for the export, or
- (c) for the transport

¹ Substituted by Notification No. 1023, dated the 17th July, 1913, see Gazette of India, 1913, Pt. I, p. 714.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

of any arms, ammunition or military stores shall specify—

- (i) the place of destination,
- (ii) the route,
- (iii) the time likely to be occupied in the journey, and
- (iv) the quantity, description, average price and purpose of each kind of arms, ammunition or stores.

(3) Where the grant of the license requires the consent or previous sanction of some other authority specified in rule 33, the application shall state whether such consent or previous sanction has been obtained and, if so, shall be supported by evidence thereof.

35. (1) Every license shall be granted or renewed and every pass shall be granted, in the appropriate form set forth in Schedule VII and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the license shall alone be covered thereby.

Form and language of licenses

Every such license shall be written or printed—

- (a) where it is granted in a Presidency-town or in Rangoon or where it is granted in a district and is intended for use beyond the limits of such district, in English and, if the licensing officer so directs, in the vernacular, or
- (b) where it is granted in a district and is intended for use within the limits of such district, in English or in the vernacular as the licensing officer may direct.

36. (1) Save as herein otherwise provided, every license under these rules shall, unless previously forfeited, be in force for such period and expire on such day as, subject to any restrictions or limitations imposed by the appropriate form set out in Schedule VII, the authority granting it may enter thereon.

(2) A license for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated on the license.

(3) Every license may, at its expiration and subject to the same conditions (if any) as to consent or previous sanction, be renewed by the authority who granted it. ¹[And in Burma any license to the grant of which the previous sanction of the Commissioner is required under

¹ Added by Notification No. 1028, dated the 17th July, 1913, see Gazette of India, 1913, Pt. I, p. 714.

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rule 33, sub-rule (4), may be renewed without the previous sanction of the Commissioner.]

37. (1) Every authority empowered to grant or renew a license or Discretion and control of to give his consent or previous sanction to such authorities empowered to grant or renewal may, in his discretion,—
grant licenses.

- (a) refuse to grant or renew such license or to give such consent or sanction, or
- (b) refer the application for orders to the Government (if any) to which he is subordinate.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

Obligation to produce 38. (1) Any person who—
licenses.

- (a) holds a license granted or renewed or a pass granted under these rules, or
- (b) is acting under colour of such a license or pass,

shall forthwith produce such license or pass upon the demand of any Magistrate or of any Police-officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to grant or renew it upon any condition, not inconsistent with the said sub-rule, with respect to the production of such license.

Fees.

39. (1) Every license granted or renewed under these rules shall, save as herein otherwise expressly provided, be
Fees payable for licenses. chargeable with the fee (if any) indicated on the appropriate form set forth in Schedule VII.

(2) where any arms, other than—

- (a) cannon, or
- (b) rifles falling within the prohibition contained in rule 8,

or any ammunition or military stores are imported under a license into any British port and re-exported thence and re-imported into any of the ports specified in rule 9 or in rule 10, the necessary licenses for such re-export under rule 16 and for such re-import under rule 9 or rule 10 shall be respectively chargeable with a fee of one rupee only.

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

(3) The Government of India may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any license.

(4) The fee payable in respect of the grant or renewal of any license of the nature hereinafter referred to may, by general or special order of the Local Government, be remitted or reduced—

- (a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition;
- (b) for the export to a Native State of ammunition required for the use of a public railway or other public work;
- (c) under rule 11 to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the license to be required in good faith for the protection of person or property.

(5) The fee payable in respect of the grant or renewal of any license in form VII may be remitted, subject to the conditions stated in each case, as follows, namely:—

- (a) Under the signature of a Secretary to the Government of Madras, Bombay or Bengal in respect of ammunition exported to a Native State for the use of a public railway or other public work,
- (b) by all Political Officers authorised to grant licenses in form VII, in the case of arms and ammunition exported for the personal use of persons of the classes mentioned in Schedule I.

(6) The fee payable in respect of the grant or renewal of any license in form VII shall be remitted in the case of all licenses in that form issued by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta or by the District Magistrates of Meerut and Rawalpindi.

(7) The fee payable in respect of a license in form VII granted by the District Magistrate of Malabar for export to Mahé shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

40. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such license may grant a duplicate—
 Fees payable for duplicates.

- (a) where the original license was granted without the payment of any fee to cultivator or other like person, free of all fee;
- (b) where such original license was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the same amount; or
- (c) in any other case, on payment of a fee of one rupee.

41. (1) All fees payable under rule 39 or rule 40 shall be collected by
 Collection and refund of fees.

(2) The Government may, by general or special order, direct in regard to any application for a license or duplicate in respect of which a fee is payable—

- (a) that the application shall be written upon an impressed stamp of a value equal to such fee, and that in such case the license or duplicate shall be granted or renewed on plain paper, or
- (b) that the license shall be written upon an impressed stamp, to be supplied by the applicant, of a value equal to such fee, and that in such case, the application may be written on plain paper.

(3) Where a fee of not less than one rupee payable under these rules has been collected and the application for the grant or renewal of a license or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

SCHEDULE I.

PERSONS EXEMPTED.

(Rule 3.)

1. The persons or classes of persons specified or described in the first column of the subjoined table are exempted, in respect of the arms and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

The Table.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>(1) Every Maharaja, Raja, Nawab or Member of any Order of Knighthood and every person who—</p> <p>(a) holds the Kaisar-i-Hind Medal, or</p> <p>(b) bears a title conferred or recognised by the Government of India, or</p> <p>¹(c) holds a sword granted to him in public Darbar under the orders of the Local Government or the Commissioner in Sind, or</p> <p>(d) holds a certificate received on the occasion of the assumption of the title of Empress of India, by Her late Majesty Queen Victoria,</p> <p>(e) is exempted from personal appearance in a Civil Court.</p>	<p>All, except —</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same;</p> <p>(e) machinery for the manufacture of arms or ammunition,</p> <p>²[(f) appliances the object of which is the silencing of fire-arms.]</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as —</p> <p>(a) the Government of India, or</p> <p>(b) a Local Government in respect of the territories administered by it or subject to its control</p> <p>may declare to be reasonable for him to carry or possess.</p>	<p>Those contained in sections 13 to 16.</p>

¹ This exemption has ceased to apply to Pirbaksh walad Khan Mahomed Shah of Kashmir taluka in the Upper Sind Frontier district, see Notification No. 3423, dated the 1st July, 1910, Gazette of India, 1910, Pt. I, p. 532.

² Added by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

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THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(2) Every Member or ex-Member of the Legislative Council of the Governor General, the Governor of Madras or Bombay, or the Lieutenant-Governor of Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma or Eastern Bengal and Assam.	All, except— (a) cannon; (b) articles designed for torpedo service; (c) war-rockets; (d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (e) machinery for the manufacture of arms or ammunition. ¹ [(f) appliances the object of which is the silencing of fire-arms.]	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a Local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(3) Every Commissioned or gazetted Officer of His Majesty's Military or Naval forces or of His Majesty's Indian Marine Service, every commissioned native officer of the Imperial Service Troops in active service, ² [every Member of the Imperial Cadet Corps,] every warrant officer, non-commissioned officer, soldier or sailor in the service of His Majesty, every enrolled volunteer and such officers	Ditto . .	Ditto . .	Ditto.

¹ Added for Nos. 2 and 3 by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

² Added by Notification No. 3638, dated the 30th September, 1909, see Gazette of India, 1909, Pt. I, p. 1010.

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(6) Every pensioned Gurkha officer, non-commissioned officer or soldier of His Majesty's Indian Forces, residing in British India.	Kukris . . .	..	All.
(7) Every revenue official and postal runner in any frontier or wild district where his superior departmental officer directs him to carry arms on duty.	Such arms as his superior departmental officer may direct him to carry.	..	Those contained in sections 13 to 16.
(8) Such subordinate officials of the Geological Survey of India as may from time to time be authorized by the Superintendent of the Geological Survey to possess or carry arms.	Such arms as the Superintendent of Geological Survey may direct him to possess or carry.	..	Ditto.
(9) Every Consul, Consular Agent, duly accredited Vakil or Agent of any Native State in India.	All, except — (a) cannon, " (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (e) machinery for the manufacture of arms or ammunition. ¹ [(f) appliances the object of which is the silencing of fire-arms.]	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a Local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Ditto.

¹ Inserted for No. 9 by Notification No. 1904, dated the 20th December, 1911, *see* Gazette of India, 1911, Pt. I, p. 1126.

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
(10) the holder for the time being of the office of Diwan of Idar in the Mahi Kanta Agency, or of Private Secretary to His Highness the Maharaja of Idar.	All, except— (a) cannon; (b) articles designed for torpedo service; (c) war-rockets; (d) rifles of .303 or .450 bore other than rifles of such bore lawfully imported into British India, and ammunition which can be fired from the same; (e) machinery for the manufacture of arms or ammunition, [(f) appliances the object of which is the silencing of fire-arms.]	The arms or ammunition carried or possessed by any person hereinafter exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a Local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(11) Maharaja Deb Shamsher Jang, Rana Bahadur, ex-Primo Minister of Nepal, residing at Mussoorie.	Ditto . . .	Ditto . . .	Ditto . . .
(12) General Khadga Shamsher Jang, Rana Bahadur, residing at Saugor.	Ditto . . .	Ditto . . .	Ditto.

¹ Inserted for all the numbers on this page by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1128.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(13) Every European or East Indian subject of His Majesty, every Armenian and every European or American who is not a natural born or naturalized subject of His Majesty only so long as he is temporarily residing or travelling in India.	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition. ¹ [(f) appliances the object of which is the silencing of fire-arms.]	In addition and without prejudice to the foregoing proviso and restriction, any person possessing fire-arms in Burma without license in virtue of this exemption shall annually register them— (a) where they are possessed in Rangoon, in the office of the Commissioner of Police, and (b) in any other case in the office of the District Magistrate; on or before such date as the Local Government may, by general or special order, direct	Those contained in sections 13 to 16.
(14) Every ruling Prince or Chief, and such members of the families or high officials of a ruling Prince or Chief as the Local Government or Political Agents may designate, on the occasions of his or their entering or residing in British India with his or their retinues, to such numbers as may in each case be settled by the Political Agent under the special or general orders of— (a) the Government of India, or	Ditto	This exemption shall be subject to such conditions (if any) as may be prescribed by the Local Government or the Political Agent, as the case may be.	Ditto.

¹ Inserted for all the numbers on this page by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

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THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—*contd.*

Persons or classes of persons	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
(b) the Local Governments in respect of Princes or Chiefs whose political relations are with those Governments, respectively, and all officials of such Princes or Chiefs passing through British India on duty.	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of 303 or 450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition, 1[(f) appliances the object of which is the silencing of fire-arms.]	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a Local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(16) Save in the Punjab, every head of a village, ghatwal, dighwar or other rural police-officer.	Such arms as the Local Government may notify to be necessary for the discharge of his police duties.	..	Ditto.

¹ Added for No. 15 by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1120.

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Rules relating to Arms, Ammunition and Military Stores—*contd*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(13) Every European or East Indian subject of His Majesty, every Armenian and every European or American who is not a natural born or naturalized subject of His Majesty only so long as he is temporarily residing or travelling in India.	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition. ¹ [(f) appliances the object of which is the silencing of fire-arms.]	In addition and without prejudice to the foregoing proviso and restriction, any person possessing fire-arms in Burma without license in virtue of this exemption shall annually register them— (a) where they are possessed in Rangoon, in the office of the Commissioner of Police, and (b) in any other case in the office of the District Magistrate; on or before such date as the Local Government may, by general or special order, direct	Those contained in sections 13 to 16.
(14) Every ruling Prince or Chief, and such members of the families or high officials of a ruling Prince or Chief as the Local Government or Political Agents may designate, on the occasions of his or their entering or residing in British India with his or their retinues, to such numbers as may in each case be settled by the Political Agent under the special or general orders of— (a) the Government of India, or	Ditto	This exemption shall be subject to such conditions (if any) as may be prescribed by the Local Government or the Political Agent, as the case may be.	Ditto.

¹ Inserted for all the numbers on this page by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
(b) the Local Governments in respect of Princes or Chiefs whose political relations are with those Governments, respectively, and all officials of such Princes or Chiefs passing through British India on duty.	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same, (e) machinery for the manufacture of arms or ammunition,	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (a) the Government of India, or (b) a Local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(15) (a) Every land-holder or member of a Municipal Board or Committee, being of approved loyalty and good position and designated in any list issued in this behalf by the Local Government. (b) Every Mahikana-holder in the Malabar district of the Madras Presidency. (c) Every person of Coorg race and every jumma tenure-holder in Coorg who, by his tenure, is liable to perform military or police duties. (d) Every person who holds fire-arms presented to him by the Government of Burma.	1[(f) appliances the object of which is the silencing of fire-arms.]	..	Ditto.
(16) Save in the Punjab, every head of a village, ghatwal, dighwar or other rural police-officer.	Such arms as the Local Government may notify to be necessary for the discharge of his police duties.		

¹ Added for No. 15 by Notification No. 1904, dated the 20th December, 1911, see *Gazette of India*, 1911, Pt. I, p. 1126.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
(17) Every subject of the Baroda or Indore State, or of any State or jagir in the Bundelkhand Agency who may transport arms or ammunition across any part of British India from one part of the territory of such State to another part of the territory of the same State under a license granted by the Resident or Assistant Resident of Baroda, or Resident at Indore or the Political Agent or his Assistant, respectively.	Such arms or ammunition as may be covered by his license.	...	Those contained in sections 13 to 16.
(18) The following persons and their retainers, namely— (a) the ancient Zamindars and poligars of the Madras Presidency and the Mahant of Tirupati in the North Arcot district of the Madras Presidency; (b) the Dekkhan and Southern Mahratta Country Sardars; [the Sardars of Guzarat;] such of the Mehwasi Chiefs of the Khandesh District and such members of the Talpur family of Sind as the Government of Bombay may designate; (c) the great Zamindars of Bengal and Eastern Bengal and Assam; (d) the great Sardars and Jagirdars of the Punjab; (e) Shan Sawbwas and other Native Chiefs in Burma;	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war-rockets, (d) rifles of .303 or .450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (e) machinery for the manufacture of arms or ammunition, ² [(f) appliances the object of which is the silencing of fire-arms.]	This exemption shall be subject to such orders as the Local Government may make, regarding— (a) the persons to be included in this category, and (b) the number of retainers and arms and the quantity of ammunition to be permitted in each case, (c) the purposes for which such arms may be carried.	Ditto.

¹ Added by Notification No. 5124, dated the 28th October, 1910, see Gazette of India, 1910, Pt. I, p. 1085.

² Added by Notification No. 1904, dated the 20th December, 1911, see Gazette of India, 1911, Pt. I, p. 1126.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
<p>(f) the Zamindars of the Scheduled Districts of the Central Provinces;</p> <p>(g) such nobles and high officials of the Baroda State as the Government of India may designate;</p> <p>(h) such nobles and high officials of the Hyderabad State as the Government of India may designate;</p> <p>(i) such officials of the Peshwa Nobles and the larger Jagirdars of the Hyderabad State, as may be authorized by the Resident to carry arms when travelling on duty from one part of the territory to another part of the same territory.</p>	<p>All, except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of 303 or 450 bore, other than rifles of such bores lawfully imported into British India,</p> <p>and ammunition which can be fired from the same;</p> <p>(e) machinery for the manufacture of arms or ammunition,</p> <p>[(f) appliances the object of which is the silencing of fire-arms.]</p>	<p>This exemption shall be subject to such orders as the Local Government may make, regarding—</p> <p>(a) the persons to be included in this category, and</p> <p>(b) the number of retainers and arms and the quantity of ammunition to be permitted in each case,</p> <p>(c) the purposes for which such arms may be carried</p>	<p>Those contained in sections 13 to 16,</p>
<p>(19) (a) The Oudh retainers of His Highness Raja Sir Lagat Singh, K.C.S.I., Bahadur, of Kapurthala, Raja-i-Rajagan.</p> <p>(b) The retainers of the following nobles in the United Provinces—</p> <p>Raja Mahendra Man Singh of Bhadwar.</p> <p>Raja Rup Bah of Jazmanpur.</p> <p>Raja Ram Singh, C.I.E., of Rampura.</p> <p>Raja Sardar Singh, Bahadur, of Katalra.</p>	<p>Ditto</p>	<p>This exemption shall be subject to such orders as the Local Government may make, regarding—</p> <p>(a) the number of retainers and arms and the quantity of ammunition to be permitted in each case,</p> <p>(b) the purposes for which such arms may be carried</p>	<p>Ditto.</p>

¹ Added by Notification No. 1904, dated the 22nd December, 1911, see Gazette of India 1911, Pt. I, p. 1126.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>His Highness Maharaja Sir Probhu Nareres Singh, Bahadur, G.C.I.E., of Benares.</p> <p>Raja Udai Partab Singh, C.S.I., of Bhinga.</p> <p>Raja Balwant Singh, C.I.E., of Awa.</p> <p>Maharaja Sir Bhagwati Parshad Singh, K.C.I.E., of Balrampur.</p> <p>Raja Kishen Kumar of Sahaspur Bilari.</p> <p>Kunwar Runkmangad Singh of Katiari.</p> <p>Raja Ram Partab Singh of Manda.</p> <p>Maharani Jagdumba Debi of Ajndhiya.</p> <p>Shahzada Basdeo Singh, residing in the Rae Bareilly District.</p> <p>¹[(c) The retainers of— Raja Raghoji Rao of Deor in the Central Provinces; The Prince of Arcot.]</p>	<p>All, except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of .303 or .450 bore, other than rifles of such bores lawfully imported into British India,</p> <p>and ammunition which can be fired from the same,</p> <p>(e) machinery for the manufacture of arms or ammunition.</p>	<p>This exemption shall be subject to such orders as the Local Government may make, regarding—</p> <p>(a) the number of retainers and arms and the quantity of ammunition to be permitted in each case,</p> <p>(b) the purposes for which such arms may be carried.</p>	<p>Those contained in sections 13 to 16.</p>
<p>²[(20) The undermentioned persons belonging to the Bhavnagar State Imperial Service Lancers while temporarily residing or travelling in British India—</p> <ol style="list-style-type: none"> 1. Kot Daffedar Hanubhai Ranchodji. 2. Duffedar Mangalsinh Sheoprasad. 3. Daffedar Kasalsinh Mulubha. 	<p>The swords of honour presented to them by His Highness the Thakorsajib of Bhavnagar in recognition of their services in South Africa during the late war.</p>	<p>..</p>	<p>Those contained in section 15.</p>

¹ As altered by Notification No. 236, dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

² Substituted by Notification No. 1672, dated the 1st November, 1911, see Gazette of India, 1911, Pt. I, p. 864.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—*contd.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
<p>4. Farrier Jhangtrkhan Chhotukhan.</p> <p>5. Farrier Ismail Govind.</p> <p>6. Farrier Shekh Abdulkhan Shekh Husen.</p> <p>7. Sowar Ramprasad Matadin.</p> <p>8. Sowar Kirpalsinh Badluesinh.</p> <p>9. Sowar Jetubhai Kala.</p> <p>10. Sowar Nathubhai Madarsinh.]</p>			
<p>(21) Every British officer in Staff, departmental and regimental employ, if every officer of the Native Indian Land Forces holding a commission from His Majesty the King-Emperor, if every enrolled member of a Volunteer Corps, and every Warrant Officer or Staff Sergeant of a British Unit of the Army (including a Staff Sergeant or Warrant Officer who is an instructor of a Volunteer Corps).</p> <p>[Explanation.—The term "commission" as used in this clause does not include a commission conferring honorary rank.]</p>	Single barrel rifles of .303 bore required for match-shooting purposes.	<p>1 Only one such rifle at a time shall be imported or used by any person hereby exempted</p> <p>2 The rifle shall be sighted to a range of over 1,000 yards.</p> <p>3 The rifle shall in the case of regimental officers, warrant officers, non-commissioned officers and [enrolled] Volunteers become part of the equipment of the Corps to which the owner for the time being belongs.</p>	All

* These words and explanation were respectively inserted and added by Notification No. 1672, dated the 1st November, 1911, see Gazette of India, 1911, Pt. I, p. 864.

* These words were substituted in entry (21) and in Nos. 3 and 4 of the third column by Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
		<p>4. The owner shall at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs to the effect that in the case of regimental officers, warrant officers, non-commissioned officers and ¹[enrolled] Volunteers, the weapon will be brought on to the equipment ledger of the Corps, and in the case of Staff and departmental officers will be brought on to the equipment ledger of a Corps, in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment.</p> <p>5. This exemption shall in the case of ¹[enrolled] volunteers cease to have effect on the owner leaving the Volunteer force :</p>	

¹ Inserted by Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions.
		<p>Provided that, if he departs from India immediately after so leaving, he may take the weapon with him.</p> <p>6. Any person hereby exempted may dispose of his rifle to another person so exempted, provided that the rifle becomes part of the equipment of the corps to which the latter belongs and is accounted for as such.</p>	
<p>(22) Any of the undermentioned persons not being members of trans-border tribes :—</p> <p>(a) any Baloch belonging to any organised tuman while within the limits of * * * the Dehra Ghazi Khan district of the Punjab ;</p> <p>(b) armed guards accompanying sheep, goats, asses and cattle under the provisions of the Frontier Grazing Regulation, 1874 (I of 1874) ; or</p> <p>(c) villagers residing in— (i) the North-West Frontier Province, or</p>	All arms, except rifles, pistols, revolvers and daggers.	..	Those contained in section 13.

* The words "such tuman or any other tuman in" were cancelled by Notification No. 1866-J., dated the 4th October, 1912, see Gazette of India, 1912, Pt. I, p. 1102.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE I—*concl'd.*

The Table—concl'd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(ii) [the Dehra Ghazi Khan district or] the Isakhel Tahsil of the Mianwali district, ² * * * * * of the Punjab pursuing raiders or members of trans-border tribes or Baluches who have committed, or [attempted] to commit any offence in British India.			
(23) Any of the persons described in ³ [sub-heads (b) and (c) ⁴ [(i)] of entry (22)].	All arms and ammunition except rifles, pistols, revolvers and daggers and rifle, pistol and revolver ammunition.	..	Those contained in sections 14 and 15.

SCHEDULE II.

ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

(Rule 3.)

2. Within the areas specified in the first column of the subjoined table, the arms, ammunition and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the Act as are indicated in the third column.

¹ These words were inserted and substituted respectively by Notification No. 1866, dated the 4th October, 1912, see Gazette of India, 1912, Pt. I, p. 1102.

² The words "or the Attock Tahsil of the Attock district" were cancelled by Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

³ Substituted by notification referred to in the first note.

⁴ The figure (i) was inserted after the letter (c) by Notification No. 1866, dated the 1st October, 1912, see Gazette of India, 1912, Pt. I, p. 1102.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE II—*contd.*

The Table.

Area.	[Arms, ammunition or military stores.]	Prohibitions, and directions
British India	Bows and arrows	All
	Uniform swords and dirks manufactured in Europe of recognized military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniform.	Do
	Swords imported for presentation as Army or Volunteer prizes; and	Do
	Ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes;	Do
	Toy cannon weighing less than 36 lbs. and having—	Do.
	(a) a calibre of less than one inch,	
	(b) a length of bore of less than 24 inches, and	
	(c) the interior of the bore unrifled.	
	[Sights for rifles imported for the use of, or for sale to the persons enumerated in clause (21) of Schedule I, or non-commissioned officers and soldiers of the British or Indian Army on a written permit from the Officer Commanding the regiment to which they belong.]	Do.

¹ Substituted by Notification No. 236, dated the 29th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

² Inserted by Notification No. 1672, dated the 1st November, 1911, see Gazette of India, 1911, Pt. I, p. 861.

Part II. General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE II—*contd.*

The Table—contd.

Area.	¹ [Arms, ammunition or military stores.]	Prohibitions and directions.
British India, excepting Burma, Aden, and all districts on the external land-frontier of British India.	<p>²[Air-guns which satisfy the following test, namely, that projectiles discharged from such guns do not perforate a target 12" × 12" formed by five strawboards of foolscap size, each board being $\frac{3}{4}$"th of an inch thick and closely held together in a frame :</p> <p>Provided that in making and estimating the test the following conditions shall be observed :—</p> <p>(1) the gun shall be held horizontally with the muzzle at a distance of five feet from the target,</p> <p>(2) the test shall be repeated 20 times for each class of projectile which can be discharged from the gun, and</p> <p>(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target and in any other case if the projectile passes completely through the back of the target.]</p>	
	<p>Gunwads and wiro-cartridges.</p> <p>All arms, ammunition and military stores covered by any license or exemption granted in Berar under the law for the time being in force relating to arms, ammunition and military stores; provided that the conditions of such license or exemption are observed.</p> <p>(1) Lead required <i>bona fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) up to any quantity.</p>	<p>Those contained in section 6.</p> <p>All.</p> <p>Do.</p>

¹ See footnote 1 on p. 491 *supra*.

² Added by Notification No. 3116, dated the 28th November, 1912, see Gazette of India, 1912, Pt. I, p. 1617.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE II—*contd.*

The Table—contd.

Area.	[Arms, ammunition or military stores.]	Prohibitions and directions.
Burma— (a) generally.	(2) Leaden bullets and bird shot in quantity not exceeding such limits as the Local Government may fix.	All.
	(3) Saltpetre	Do.
	(4) Sulphur in quantities not exceeding such limits as the Local Government may fix.	Do.
	(1) Lead, except lead in the form of bullets and birdshot.	Those contained in section 6.
(b) in the Arakan Hill Tracts Aden, and all districts on the external land frontier of British India, outside Burma.	(2) Lead, required <i>bond fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and birdshot) in quantities not exceeding such limits as the Local Government may fix.	All.
	(3) Leaden bullets and birdshot, in quantities not exceeding such limits as the Local Government may fix, when possessed by persons entitled to possess fire-arms.	Do.
	(4) Sulphur, not exceeding one aer	Do.
	(5) Dahs intended exclusively for domestic, agricultural, or industrial purposes.	Do.
	Spears	Do.
	(1) Lead, required <i>bond fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and birdshot) in quantities not exceeding such limits as the Local Government may fix.	Do.

¹ See footnote 1 on p. 491 *supra*.

² These entries were substituted by Notification No. 1793, dated the 22nd November, 1911, see Gazette of India, 1911, Pt. I, p. 1003.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE II—*contd.*

The Table—contd.

Area.	¹ [Arms, ammunition or military stores.]	Prohibitions and directions.
	(2) Loaden bullets and birdshot, in quantities not exceeding such limits as the Local Government may fix.	All.
	(3) Sulphur, not exceeding ten sers	Do.
Burma and all districts on the external land-frontier of British India.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs.	Do.
The Madras Presidency	Spears	Do.
The Bombay Presidency— (a) generally	Spears and hunting knives	Do.
(b) in any district, or part of a district, which the Government may declare to come within this exemption.	Katyars used in Maharatta marriage processions.	Do.
The province of Bengal— (a) generally	Kukris and daos	Do.
(b) in the district of Angul	Swords	Do.
(c) in the districts of Shahabad, Patna and Gaya.	Swords carried by tahsildars or peons when employed in the collection, custody or remittance to Treasuries of water-rates.	Do.
(d) in any district, or part of a district, which the Local Government may declare to come within this exemption.	Spears	Do.
The United Provinces of Agra and Oudh— ² [(a) in the Kumaon division	Kukris and Nepalese Bhujalis]	Do.

¹ See footnote 1 on p. 491 *supra*.

² Substituted and relettered (c) respectively by Notification No. 3207, dated the 6th December, 1912, see Gazette of India, 1912, Pt. I, p. 1648.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE II—*concl'd.*

The Table—concl'd.

Area.	[Arms, ammunition or military stores.]	Prohibitions and directions.
² [(b)] in the Dehra Dun District.	Kukris	All
² [(c)] in any district, or part of a district, which the Local Government may declare to come within this exemption.	Spears	Do
Burma—		
(a) generally	Dags intended exclusively for domestic, agricultural or industrial purposes.	Do
(b) in the Atakan Hill Tracts.	Spears	Do
The province of Eastern Bengal and Assam—		
(a) generally	Kukris ¹ [and dags]	Do.
(b) in any district or part of a district, which the Local Government may declare to come within this exemption.	Spears	Do
(c) in the Garo Hills Lushai Hills, Naga Hills and Khasi and Jaintia Hills districts.	Swords and daggers	Do.
Central Provinces	Spears and hunting knives	Do.
Coorg	Ditto	Do.

¹ See footnote 1 on p. 401 *supra*.

² See footnote 2 on p. 494 *supra*.

³ Inserted by Notification No. 4600, dated the 9th August, 1910, *see* Gazette of India, 1910, Pt. I, p. 760.

⁴ The words "and the Cachar" were cancelled by Notification No. 1672, dated the 1st November, 1911, *see* Gazette of India, 1911, Pt. I, p. 564.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

¹ SCHEDULE III.

ARMS, AMMUNITION AND MILITARY STORES EXEMPTED.

(Rule 3.)

The arms, ammunition and military stores described in the first column of the subjoined table are exempted from the operation of the prohibitions and directions contained in section 6 to the extent entered in the second column.

The Table.

Arms, ammunition and military stores.	Prohibitions and directions.
I. Any arms, ammunition or military stores brought into and landed in bond at or brought into any port in British India and declared under manifest to be consignments for any port (other than a port specified in item II of this schedule) to which export is permitted under the rules for the time being in force.	All.
II. Any arms, ammunition or military stores brought into any port in British India and declared under manifest to be consignments for any port within the political charge of the Political Resident at Aden, the Political Resident in the Persian Gulf or the Political Resident in Turkish Arabia to which export is permitted under the rules for the time being in force.	Those relating to import.
III. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transshipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order signed by the Resident at Aden.	All.

SCHEDULE IV.

PARTS OF BRITISH INDIA WITHDRAWN.

(Rule 3.)

4. The areas specified in the first column of the subjoined table are withdrawn, in respect of the arms and ammunition described in the second column from such prohibitions and directions contained in the Act as are indicated in the third column.

¹ Schedule III was substituted by Notification No. 1326, dated the 21st September, 1911, see Gazette of India, 1911, Pt. I, p. 773.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE IV—*contd.*

The Table.

Areas.	Arms and ammunition.	Prohibitions and directions.
(1) All Scheduled Districts in the Madras Presidency	All, except rifled arms and cannon.	All, except those contained in sections 12 and 25.
(2) The Chittagong Hill Tracts of Eastern Bengal and Assam.	All	Those contained in sections 13 and 14.
(3) Ajmer-Merwara and those parts of the Mirzapur district in the United Provinces of Agra and Oudh which are situated on the right bank of the river Sone.	All, except cannon . .	Ditto.
(4) The lands ceded to the British Government by His Highness the Nawab of Bahawalpur, which are, or may hereafter be, occupied by the North-Western Railway (including the lands occupied by stations, by outbuildings and for other railway purposes) and lie between the stations of Bahawalpur and Walher.	All	Those contained in sections 14 to 16. Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.
(5) The lands lying within the State of His Highness the Nawab of Bahawalpur which are, or may hereafter be, occupied by the Southern Punjab Railway (including the lands occupied by stations, by outbuildings and for other railway purposes) and so much of the said lands as lie between the stations of Samasata and Shujawalpur.	All	Ditto ditto.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE IV—contd.

The Table—contd.

Areas.	Arms and ammunition.	Prohibitions and directions.
(6) The lands which are, or may hereafter be, occupied by the Rajputana-Malwa Railway in the Nimar district of the Central Provinces (including the lands occupied as stations, outbuildings and for other railway purposes) between the stations of Mortakka and Nimar Kheri.	All	Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.
(7) The following parts of the Punjab, namely :— (a) the parganas of Lahaul and Spiti; 1* * *	All (not being carried by members of trans-border tribes), except rifles, pistols, revolvers and daggers.	Those contained in section 13.
(8) The following parts of the Punjab, namely :— (a) The parganas of Lahaul and Spiti. (b) The Dehra Ghazi Khan district. ¹ [(c) The Isakhel tahsil of the Mianwali district.]	All (not being possessed by members of trans-border tribes), except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.	Those contained in sections 14 and 15.
(9) The following parts of the North-West Frontier Province, namely :— (a) All parts other than any area included in a Cantonment or Municipality of the Peshawar, Kohat, Bannu and Dehra Ismail Khan districts.	All (not being carried by members of trans-border tribes), except rifles, pistols, revolvers and daggers.	Those contained in section 13.

¹ Clause (b) was cancelled and clause (c) inserted by Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE IV—*concl'd.*

The Table—concl'd.

Areas.	Arms and ammunition.	Prohibitions and directions.
(b) The jagir of the Nawab of Amb, known as the feudal Tanawal (including the Phulera Jagir).		
(c) The villages, other than the Municipality of Baffa, enumerated in the schedule to the Notification of the Punjab in the Home Department, No. 2460, dated the 3rd July, 1879.		
(10) The following parts of the North-West Frontier Province, namely :— The whole of the North-West Frontier Province with the exception of those villages of the Hazara District which are not enumerated in the schedule to the Notification of the Government of the Punjab in the Home Department, No. 2460, dated the 3rd July, 1879.	All (not being possessed by members of trans-border tribes), except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition	Those contained in sections 14 and 15

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd*

SCHEDULE VI.

OFFICERS EMPOWERED TO GRANT LICENSES FOR EXPORT BY LAND OR RIVER TO ANY PLACE BEYOND THE FRONTIER OF BRITISH INDIA.

(Rule 18.)

1	2	3
Officers.	Place.	Conditions.
<p>(1) A Secretary to the Government of :—</p> <p>(a) Madras.</p> <p>(b) Bombay.</p> <p>(c) Bengal.</p>	Any Native State	For the export of ammunition intended solely for the use of a public railway or other public work.
<p>(2) The Commissioner of Police in Madras.</p>	Any of the French Settlements in the Madras Presidency.	<p>To persons who would be exempted in British India from the ordinary prohibition of the Arms Act and subject to the following conditions so far as those conditions apply to the circumstances of the case :—</p> <p>(a) The consignment for export must consist only of arms and ammunition in reasonable quantities and for personal use.</p> <p>(b) The consignee must belong to one of the classes of persons mentioned in Schedule I of these rules.</p> <p>(c) The Commissioner will keep a list of such licenses.</p>
<p>(3) The Commissioner of Police in :—</p> <p>(a) Madras.</p> <p>(b) Bombay.</p>	Any Native State	<p>Subject to the conditions specified below, namely,—</p> <p>(a) The consignment for export must consist only of arms and ammunition in reasonable quantities and for personal use.</p>

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VI—*contd.*

1	2	3
Officers.	Place.	Conditions
(4) The Deputy Commissioner of Police in Calcutta		<p>(b) The consignee must belong to one of the classes of persons mentioned in Schedule I of these rules.</p> <p>(c) The Commissioner or Deputy Commissioner will keep a list of such licences.</p> <p>(d) No such officer may grant a licence for the export to a Native State of any arms of the kind specified in Rule 8, sub-rule (1), (a) and (b) as modified by clause (2), unless such arms have been lawfully imported into British India, and are required for the personal use of persons of the classes mentioned in Schedule I of these Rules.</p>
(5) The District Magistrate of Malabar.	Mahé.	
(6) The Secretary to the Government of Bombay in the Political Department.	Portuguese India.	
(7) (a) The Chief Secretary to the Government of Fort St. George.	Pondicherry and the other French Settlements in the Madras Presidency.	
(8) The Chief Secretary to the Government of Bengal.	Chandernagore.	

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VI—*contd.*

1	2	3
Officers.	Place.	Conditions.
(8) The District Magistrate of Meerut.	Any Native State	For the export of ammunition only to Native States; and for the export of arms and ammunition to Kurram.
(9) The District Magistrate of Meerut.	Kurram, Chitral and Waziristan.	<p>Chitral and Waziristan, subject to the following conditions:—</p> <p>(a) The consignment for export must consist only of <u>sporting ammunition</u> <u>sporting arms</u> and ammunition in reasonable quantities for the personal use of the consignee.</p> <p>(b) The consignee must belong to one of the classes of persons mentioned in Schedule I of these rules.</p> <p>(c) The Magistrate should keep a list of all licenses issued by him.</p> <p>(d) Copies of licenses covering consignments to States in Central India or Rajpootana should be sent to the Agents to the Governor General in Central India and Rajputana respectively. In the case of Chitral, when the ammunition is to be exported <i>via</i> Peshawar, the Magistrate should send a copy of the license to the Political Agent for Dir, Swat and Chitral for communication, when necessary, to the Assistant Political Agent in Chitral. If the consignment is forwarded <i>via</i> Kashmir, a copy of the license should be sent to the Resident. In the case of Waziristan, the Magistrate should refer to the Political Agent, Tochi, or the Political Agent, Wana, according as the consignment is for Tochi or for elsewhere in Waziristan.</p>

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VI—contd.

1	2	3
Officers.	Place.	Conditions.
(10) The District Magistrate of Rawalpindi.	Kashmir	Subject to the following conditions:— (a) The consignment for export must consist only of sporting ammunition in reasonable quantities for the per- (b) (c) all licenses issued by him.
(11) (a) The Residents in:— (1) Hyderabad, (2) Mysore, (3) Baroda, (4) Nepal and (5) Kashmir. (b) The Agents to the Governor General in:— (1) Baluchistan. (2) North-West Frontier Province. (c) All Political officers in:— [(1) Rajputana, and [(2) Central India. (d) The Commissioner of Ajmer-Merwara. (e) The Commissioner in Sind. (f) The Agent to the Governor, Kathiawar.]	Native States or territory under their political charge.	(a) no license shall be granted for the export of— (i) cannon; or (ii) military stores of any kind other than sulphur; or (iii) save as hereinafter provided, rifles of the 303 or of 450 bore; or (iv) save as hereinafter provided, ball ammunition which can be fired from rifles of the bore specified in sub-head (iii); (b) imported into British India; (c) licenses for the export of cartridges of the nature there specified may be granted to persons of the classes mentioned in Schedule I subject to the conditions that the number of such cartridges does not exceed two hundred in any one year and that they are for the personal use of the licensee.

¹Substituted by Notification No. 2429-G., dated 30th November, 1949, see Gazette of India, 1949, Pt. I, p. 1655.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VI—*contd.*

1	2	3
Officers.	Place.	Conditions.
<p>(g) The Political Agents in :—</p> <p>(1) Kolhapur and Southern Maratha Country.</p> <p>(2) Kutch,</p> <p>(3) Rewa Kantha,</p> <p>(4) Mahi Kantha,</p> <p>(5) Savantvadi, and</p> <p>(6) Palanpur.]</p> <p>(h) All Political Officers in the Punjab.</p> <p>(i) The Political Agent in Hill Tippera.</p> <p>(j) The Political Agent, Orissa Feudatory States.</p> <p>(k) The Commissioner of Chota Nagpur.</p> <p>(l) The Resident in Travancore and Cochin.</p> <p>(m) The Political Agents for :—</p> <p>(1) Pudukota, (2) Banganapalle, and (3) Sendur.</p> <p>(n) The Political Agents in —</p> <p>(1) Quetta-Pishin, (2) Sibi and (3) Kalat.</p> <p>(o) The Collectors and Political Agents :—</p> <p>(1) Surat, (2) Satara, (3) Thana (4) Kolaba, (5) Dharwar, (6) Kaira, (7) Sholapur, (8) Poona, (9) Nasik, (10) Bijapur, and (11) Sukkur.</p> <p>(p) The Political Agent in Manipur,</p> <p>(q) The Deputy Commissioner in the Khasi and Jantia Hills.</p> <p>(r) The Political Officer in Sikkim, Gangtok.</p>	<p>Native States or territory under their political charge.</p>	

¹ Substituted by Notification No. 2429-G., dated the 30th November, 1909, see Gazette of India, 1909, Pt. I, p. 1655.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VI—*concl'd.*

1	2	3
Officers.	Place.	Conditions.
(a) All Political Agents and Deputy Commissioners in the North-West Frontier Province.	Native States or territory under their political charge.	
[(1) The Political Agent, Chhatisgarh Feudatories, and all civil officers in the Central Provinces who may be in charge of Native States under the political control of the Chief Commissioner.]		
[(a) Agent to the Lieutenant-Governor for Benares]	..	For the export of gunpowder into the Benares State for such quantities as he deems reasonable.]
[(12) (a) The Secretary to the Government of Bombay in the Political Department, and	Any place within the political jurisdiction of His Britannic Majesty's Consul General and Agent of the Government of India in Khorasan or of His Britannic Majesty's Consul for Scistan and Kain).	
(b) The Chief Secretary to the Government of Bengal.		
[(13) The Chief Secretary to the Government of Burma.	Any Native State in the political charge of the Government of Burma, and any place in Siam or China.	Subject, in the case of export to Siam or China, to the condition that the consignee has obtained sanction to the import of the consignment from the Siamese or Chinese authorities concerned.]
[(14) The Commanding officer of a Gurkha Battalion.	Nepal	For the export of kukris in the possession of discharged Gurkha regiments on their departure from the Battalion to Nepal.]

¹ Inserted by Notification No. 238-G, dated the 3rd February, 1911, see Gazette of India, 1911, Pt. I, p. 81.

² Inserted by Notification No. 1182-G, dated the 19th June 1913, see Gazette of India, 1913, Pt. I, p. 617.

³ Clause (12) was substituted for the original clause by Notification No. 1883-G, dated the 6th October, 1911, see Gazette of India, 1911, Pt. I, p. 516.

⁴ Clause (13) was added by Notification No. 228-G, dated the 13th May, 1910, see Gazette of India, 1910, Pt. I, p. 381.

⁵ Inserted by Notification No. 1554-G, dated the 20th August, 1913, see Gazette of India, 1913, Pt. I, p. 80.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII.

[RULES 35 AND 39.]

FORM No. I.

[RULES 6, 21 AND 25.]

License for the ^{import}transport of cannon, articles designed for torpedo service, possession war-rockets or machinery for the manufacture of arms or ammunition.

Name, description, and residence of licensee and agent (if any).	Number of packages.	Description, with specification of calibre of cannon or other articles.	Number of articles.	COLUMNS TO BE FILLED UP IN CASES OF IMPORT OR TRANSPORT.			Period for which the license is valid.	Use to which the articles are to be put.
				Place of despatch and route.	Place of destination.	Name, description and residence of consignee.		
							From the _____	
							to the _____	
							_____ 19 ____	

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Tho
of
19 { Dato on which, in case
of import or transport
a copy is sent to the
Commissioner of Police,
Magistrate of the district.



(Signature.)

*Secy. to the Govt. of India,
Home
Foreign Department.*

The—of—19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2.—In cases of import or transport—

- (a) hulk shall not be broken before the articles reach the place of destination; and
- (b) the articles shall be delivered only to a person lawfully entitled to receive them.

3. In cases of import by land or river or of transport, an account of the contents of each package shall be legibly written thereon.

4. In cases of transport by rail each package shall be marked with the word "Cannon" or as the case may be, in such a manner as to be readily recognizable by the railway authorities.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. II.

[RULES 9 AND 10.]

FEE—

- (a) where granted under rule 9.(1) (d), FREE OF ALL FEE;
 (b) where granted under rule 10, ONE RUPEE IN STAMPS; OR
 (c) in any other case, TEN RUPEES IN STAMPS.

License for the import of arms, ammunition or military stores into the port of

Name, description and residence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Purpose for which required.	Value of the fire-arms per piece.	Place where articles are to be deposited or to which they are to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.				
									From the _____ _____ to the _____ _____ 19 _____

(Signature.)

The _____ of _____

_____ 19 _____

Seal

Commissioner of Police _____

Magistrate of the _____ District.

Secy. to the Govt. of Madras.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.
2. An account of the contents of each package shall be legibly written thereon.
3. The articles shall be either—
 - (a) deposited at Aden in such Government ware-house as the Resident may from time to time appoint in this behalf, and elsewhere in a ware-house—
 - (i) appointed under section 15 of the Sea Customs Act, 1878 (VIII of 1878), or
 - (ii) licensed under section 16 of the said Act and sanctioned under section 7 of the Indian Arms Act, 1878, or
 - (b) forthwith despatched to their place of destination under a separate license, where such place is situated outside the port of import, for transport or export by land.

Part II.—General Rules and Orders made under General
Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.
2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.
3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms," "Ammunition" or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.*Conditions.*

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition" or "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

FORM No. V.

[RULE 16.]

FEE—

(a) where granted under rule 16 (2) (a) to (d) TEN RUPEES, or in the case referred to in rule 39 (2), ONE RUPEE IN STAMPS;

(b) where granted under 16 (2) (e), FREE OF ALL FEE.

License for the export by sea of arms, ammunition or military stores from the port of _____ to the port of _____

Name, description and residence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION AND MILITARY STORES.		Port to which consignment is to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.		
							From the _____ to the _____ 19 _____

The _____ of _____ 19 _____ { Date on which the consent of the Commissioner of Police, _____ Magistrate of the _____ district is obtained [r. 33 (1)].

(Signature.)

The _____ of _____ 19 _____ { Date on which a copy is sent to the Commissioner of Police Magistrate of the _____ [r. 16 (4)].

Seal.

Commissioner of Police, _____
Magistrate of the _____

The _____ 19 _____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).**Rules relating to Arms, Ammunition and Military Stores—*contd.*****SCHEDULE VII—*contd.******Conditions.***

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Where the consignment is to be despatched to an Indian port, the license shall not be valid for export to any port other than that entered in column 7.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. VI.

[RULE 17.]

FEE—FIVE RUPEES IN STAMPS.

License for the export by sea of arms (other than cannon or rifles falling within the restriction imposed by rule 15), ammunition or military stores from the port of _____ to the port of _____

Name, description and residences of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.					
										From the _____ _____ to the _____ _____ 19 .

(Signature.)

The 19 .

*Secretary to the Government of India, Foreign Dept.
Officer specially empowered under rule 17.*

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).**Rules relating to Arms, Ammunition and Military Stores—contd.****SCHEDULE VII—contd.****Conditions.**

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.
2. The articles shall not be conveyed by any route other than that specified in column 7; and hulk shall not be broken, or the consignment stopped, before the articles reach the place of destination.
3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition" or "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

FORM No. VII.

[RULE 18.]

FEE—FIVE RUPEES IN STAMPS unless remitted or reduced under rule 139.

*License for the export by
land or river of*

arms, ammunition or military stores to _____ in the
State _____
arms (other than cannon), ammunition or military stores
out of the district of Ajmer-Merwara.
arms (other than cannon), ammunition or military stores
to the _____ State in the political charge of the
Government of _____

Name, description and residence of licensee and agent (if any).	Num- ber of pack- ages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of des- patch and route.	Pur- pose for which re- quired.	Place of des- tination.	Name and resi- dence of consig- nee.	Period for which the license is valid.
		Des- crip- tion.	Num- ber.	Des- crip- tion.	Weight in seers or number.					
										From the _____ to the _____ —19 .

¹ The subsidiary figure after 39 has been omitted in accordance with Notification No. 4000, dated the 9th August, 1910 [para. 4. (a)], see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

The _____ of _____ 19 . { Date on which the consent of the Political Agent for the _____ State Commissioner of Police, _____ Magistrate of the _____ District is obtained [r. 33 (1)] (Signature).

The _____ of _____ 19 . { (a). _____ (b). _____ Station Master at the _____ Ry Station [r. 18 (6)]. Secy. to the Govt of India Foreign Dept. Officer specially empowered under rule 18. Secy. to the Govt. of Chief Commissioner, _____

The _____ 19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition" or "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

FORM No. VIII.

[RULE 22.]

FEE—TEN RUPEES IN STAMPS.

License for the transport of arms, ammunition or military stores.

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment.	Licensee's place of business, if any.	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch, route and mode of transit.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
			Description.	Number.	Description.	Weight in seers or number.				
										From the to the 19 .

The _____ of _____ 19____ { Date on which the consent of the
Commissioner of Police, _____
Magistrate of the _____ District
is obtained [r. 33 (1)].



Seal.

(Signature.)

The _____ of _____ 19____ { Date on which a copy is sent to
Comr. of Police, _____ [r. 22 (2) (a)].
Magte. of the _____ Dist. [r. 22 (2) (b)].
Magistrate at _____ [r. 22 (3)].

Commissioner of Police, _____
Magistrate of the _____ District.

Resident _____ in Boroda.
Assistant Resident

The _____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**THE INDIAN ARMS ACT, 1878 (XI of 1878).**

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—contd.*Conditions.*

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7; and hulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition" or "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

4. The articles shall be delivered only to a person lawfully entitled to receive them.

[Forms IX and X of this schedule have been cancelled by Notification No. 3857, dated the 8th July, 1910, SEE GAZETTE OF INDIA, 1910, Pt. I, p. 566.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. XI.

[Rule 24 (1) (a).]

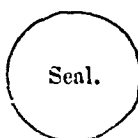
FEE—TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell or keep and sell, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).

Serial number of license.	Name, description and residence of licensee.	Place of business, factory or shop.	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license expires.
			to be manufactured or converted.	to be sold or kept for sale.	to be manufactured.	to be sold or kept for sale.	
							<i>In Burma—</i> The 31st March, 19 . <i>Elsewhere—</i> The 31st December, 19 .

(Signature.)

The _____ 19 .



Commissioner of Police, _____
Magistrate of the _____ District.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Form for renewal of the License.

Date and year of renewal.	Date on which the renewed license expires	Signature of Commissioner of Police Magistrate of the _____ District.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.
2. He shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such form as the Local Government may direct.
3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or, if the Local Government so directs, of Sub-Inspector.
4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the Vernacular of the district his name and the words "Licensed to manufacture (or "Licensed to deal in) arms, ammunition and military stores," as the case may be.
- (2) He shall also affix in his place of business, factory or shop a copy of section 28 either in English or in the Vernacular of the district.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Conditions—contd.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form Nos. XVI, XVII, XVIII or XIX

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature, and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall not sell ammunition to any person licensed to possess or carry arms in excess of the maximum which may be fixed by the Local Government for such person and which is endorsed on his license.

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the Local Government, ¹[or in Sind, by the Commissioner in Sind] keep or sell revolvers manufactured out of India or magazine pistols.

Explanation.—For the purposes of this condition,—

(a) “Government arm” means a firearm or other weapon which is the property of the Government; and

(b) “Government ammunition” and “Government military stores,” mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

10. Where the license is granted in and for any local area in Eastern Bengal and Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the Local Government may from time to time by notification apply this condition.

¹ Inserted by Notification No. 1245, dated the 2nd and 5th July, 1912, see Gazette of India, 1912, Pt. I, p. 734.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions—contd.

11. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in a list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

12. (1) Where the license is granted in and for any local area in the North-West Frontier Province or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or article (18), sub-head (d), of the table appended to Schedule I, from certain prohibitions and directions contained in sections 13 to 16, or

¹[(b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (9) and (10) of Schedule IV as withdrawn from the operation of certain sections of the Act.]

(c) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

13. Save where the Local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the license.

¹ Substituted by para. 4 (b) of Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions.

1. This license is granted subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms, ammunition and military stores in stock and of all sales, in such form as the Local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or, if the Local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be painted in large letters in English or in the Vernacular of the district his name and the words "Licensed to deal in arms, ammunition and military stores."

(2) He shall also affix in his place of business or shop a copy of section 28 in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form Nos. XVI, XVII, XVIII, or XIX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature, and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall not sell ammunition to any person licensed to possess or carry arms in excess of the maximum which may be fixed by the Local Government for such person and which is endorsed on his license.

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, or shop specified in column 3.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the Local Government, [or in Sind, by the Commissioner in Sind] keep or sell revolvers manufactured out of India or magazine pistols.

* Inserted by Notification No. 1245, dated the 2nd and 5th July, 1912, see Gazette of India, 1912, Pt. I, p. 734.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Conditions—contd.

Explanation.—For the purposes of this condition,—

- (a) “Government arm” means a firearm or other weapon which is the property of the Government; and
- (b) “Government ammunition” and “Government military stores,” mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

10. Where the license is granted in and for any local area in Eastern Bengal and Assam, the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the Lieutenant-Governor may, from time to time by notification, apply this condition.

11. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell any arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

- (a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or
- (b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

12. (1) Where the license is granted in and for any local area in the North-West Frontier Province or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

- (a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or article (18), sub-head (d), of the table appended to Schedule I, from certain prohibitions and directions contained in sections 13 to 16, or

Part II.—General Rules and Orders made under General Acts of the Governor-General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Conditions—concl'd.

1[(b) any villagers residing in those portions of the North-West Frontier Province which are specified in entries (9) and (10) of Schedule IV as withdrawn from the operation of certain sections of the Act,]

(c) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

13. Save where the Local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the license.

FORM No. XIII.

[RULE 24 (2) (a).]

FEE—Where the licensee holds a license in Form No. XI, FREE OF ALL CHARGE. In all other cases, TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell, or keep and sell breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of license.	Name, description and residence of licensee.	Place of business, factory or shop.	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license expires
			to be manufactured or converted.	to be sold or kept for sale	to be manufactured.	to be sold or kept for sale	
							In Burma— The 31st March, 19 Elsewhere— The 31st December, 19

(Signature.)

Stal.

Secretary to the
Commissioner in Sind.

T: 9

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Form for renewal of the License.

Date and year of renewal.	Date on which the renewed license expires.	Secretary to the Local Government. Commissioner in Sind.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the Local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police-officer of a rank not below that of Inspector, or, if the Local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English or in the Vernacular of the district his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business, factory or shop a copy of section 28 either in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form XVI, XVII, XVIII, or XIX—

- (a) the name, description and residence of the person who takes delivery of the articles sold,
- (b) the nature, and quantity of the articles sold, and
- (c) the date of sale,

and shall sign the endorsement.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Conditions—contd.

6. He shall not sell breech-loading rifles, rifle ammunition or military stores for rifles, elsewhere than at the place of business, factory or shop specified in column 3.

7. He shall not keep Government arms, ammunition or military stores.

Explanation.—For the purposes of this condition,—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

¹[9. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

¹[(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

10. (1) Where the license is granted in and for any local area in the North-West Frontier Province or the Dera Ghazi Khan district or the Isa Khol tahsil of the Mianwali district of the Punjab, the licensee

¹ Substituted by Notification No. 4600, dated the 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions—concl'd.

shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or article (18), sub-head (d), of the table appended to Schedule I, from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.]

¹[11]. Save where the Local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the license.

¹ Numbering altered by para. 4 (c) of Notification No. 4600, dated 9th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. XIV.

[RULE 24 (2) (b).]

**FEE—Where the licensee already holds a license in ¹[Form No. XII],
FREE OF ALL CHARGE. In all other cases, TEN RUPEES IN STAMPS.**

License to keep and sell breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of license.	Name, description and residence of licensee	Place of business or shop	Description of		Date on which the license expires
			Arms	Ammunition or military stores.	
					<i>In Burma—</i> The 31st March, 19 . <i>Elsewhere—</i> The 31st December, 19 .

(Signature.)

The _____ 19 .

Secretary to the _____
Commissioner in Sind.

¹ Substituted by para. 4 (d) of the notification referred to in footnote on prepage.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—contd

SCHEDULE VII—contd.

Conditions—contd.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in any of the Form Nos. XVI, XVII, XVIII, or XIX—

- (a) the name, description and residence of the person who takes delivery of the articles sold,
- (b) the nature, and amount of the articles sold, and
- (c) the date of sale,

and shall sign the endorsement.

6. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

7. He shall not keep Government arms, ammunition or military stores.

Explanation.—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government; and
- (b) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

- (a) any Government official exempted under section 27 from certain prohibitions and directions contained in sections 13 to 16, or

¹ Substituted by Notification No. 4600, dated the 29th August, 1910, see Gazette of India, 1910, Pt. I, p. 766.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions—concl'd.

- (b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.]

¹[10. (1) Where the license is granted in and for any local area in the North-West Frontier Province or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

- (a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or article (18), sub-head (d), of the table appended to Schedule I, from certain prohibitions and directions contained in sections 13 to 16, or

- (b) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.]

¹[11]. Save where the Local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the license.

¹ Substituted and numbering altered respectively by Notification No. 4600, dated the 9th August 1910, see Gazette of India, 1910, Pt. I, p. 756.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

FORM No. XV.

[RULE 26.]

FREE OF ALL FEE.

License for the possession of firearms, ammunition or military stores.

Name, description and residence of licensee and agent, if any.	Number and description of firearms	AMMUNITION OR MILITARY STORES		Place (with description) where articles are to be kept.	Period for which the license is valid.
		Description	Quantity.		

(Signature).

Commr. of Police _____

The _____ of _____ 19 ____

Magistrate of the _____ District.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. It covers only the firearms, ammunition and stores specified in columns 3 and 4, so long as they are kept in the place described in column 5, but does not authorize him—

(a) to go armed; or

(b) to keep Government arms or ammunition.

In Burma, condition 2 (b) may be cancelled by the authority granting the license, if empowered to do so by the Local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

Explanation—For the purposes of this condition—

- (a) “Government arm,” means a firearm or other weapon which is the property of the Government; and
- (b) “Government ammunition,” means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. XVI.

[RULE 27.]

FEE—When granted under sub-rule (4) **FREE OF ALL FEE.**

In any other case,—

(i) in disarmed districts, **EIGHT ANNAS**, and

(ii) elsewhere, **FOUR ANNAS**, and

in stamps for each weapon.

*License for the possession of arms and ammunition and for going armed
for the purpose of ^{sport.} protection.
display.*

1	2	3		4				5	6
Serial number of license.	Name, description and residence of licensee and agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		RETAINERS (IF ANY) COVERED BY THE LICENSE.				District or place within which the license is valid.	Date on which the license expires.
		Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms or ammunition that retainer is entitled to possess.		
							Description. Quantity.		

(Signature)

The _____ 19 _____

Seal

Commissioner of Police, _____

Magistrate of the _____ District.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Form for renewal of the license.

Date and year of renewal.	Date on which the renewed license expires.	Signature of Commissioner of Police, Magistrate of the ——— District.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 4.

3. Save where it is countersigned in the manner provided by rule 27, sub-rule (2) or sub-rule (3), it extends only to the district or place specified therein.

4. The licensee or any retainer acting under this license shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of ^{sport} protection and, save where he is specially authorized in this behalf—

(in any Presidency Town or Rangoon) by the Commissioner of Police,

(in any other place) by the Magistrate of the District,

he shall not take any such arms into a railway carriage or to a fair, religious procession or other public assemblage.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions—contd.

5. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

- (a) the name, description and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase.

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

7. Save where the Local Government directs the omission of this condition, he shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the license.

8. He shall not possess Government arms and ammunition.

Explanation.—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

9. Where the license is granted for the purpose of sport, the licensee or any retainer acting under the license shall observe such close season as may be prescribed by the Local Government in respect of the game-birds and animals hereinafter set forth below.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI of 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Once every year, between the 15th November and the 31st December, the licensee shall produce this license and every weapon covered thereby before the Magistrate referred to in column 6.

3. He shall not go armed with any arms covered by this license otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms into a railway carriage, or to a fair, religious procession or other public assemblage or to any considerable distance beyond the place or tract entered in column 4.

4. He shall forthwith give information at the nearest police-station of the loss or theft of any gun covered by this license.

5. He shall not keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, if empowered to do so, Government arms and ammunition may be sold to a licensee for the purpose of being used in the service of the Government.

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

7. Without prejudice to the voidance of this license for breach of any of the foregoing conditions, it shall be void if—

(a) the licensee dies, or

(b) any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. XVII.

[RULE 28.]

FREE OF ALL FEE.

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals which do injury to human beings or cattle.

Names, description and residence of licensee.	ARMS AND AMMUNITION.		Place or tract within which the license is valid.	Specification of the wild beasts which may be destroyed under this license.	Period for which the license is valid.	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December.
	Description	Quantity.				

(Signature.)

Seal.

Magistrate of the _____ District.

The _____ of _____ 19 _____

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Once every year, between the 15th November and the 31st December, the licensee shall produce this license and every weapon covered thereby before the Magistrate referred to in column 6.

3. He shall not go armed with any arms covered by this license otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

Conditions—contd.

into a railway carriage, or to a fair, religious procession or other public assemblage or to any considerable distance beyond the place or tract entered in column 4.

4. He shall forthwith give information at the nearest police-station of the loss or theft of any ¹[arms] covered by this license

5. He shall not keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, condition 5 may be cancelled by the authority granting the license, if empowered to do so by the Local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

27. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

(a) the name, description and residence of the person who takes delivery of the articles purchased;

(b) the nature and quantity of the articles purchased; and

(c) the date of purchase.

28. Without prejudice to the voidance of this license for breach of any of the foregoing conditions, it shall be void if—

(a) the licensee dies, or

(b) any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

¹ As amended by Notification No. 236, dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

² Clause 7 was inserted and the succeeding clause renumbered "8" by Notification No. 236, dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*contd.*

SCHEDULE VII—*contd.*

FORM No. XVIII.

[RULE 29.]

FREE OF ALL FEE.

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals doing injury to crops or cattle.

Name, description and residence of licensee.	Name and description of any member of the licensee's family, or servant employed to watch crops or cattle, residing with him, by whom the arms covered by this license may be also used.	ARMS AND AMMUNITION.		Place or tract within which the license is valid.	Period for which the license is valid.
		Description.	Quantity.		
					From _____ To _____

The

Magistrate of the

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules.

2. The licensee shall not go armed with any arms covered by this license otherwise than in good faith for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the license.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

Conditions—contd.

3. The licensee shall not use any arms covered by this license otherwise than in the place or tract in which the license is valid.

4. He shall not lend any arms or ammunition covered by this license to any person, other than a *bona fide* member of his family, or servant who may be employed by him to protect the crops or cattle situated in the area specified in the license and who is mentioned in column 2 of the license.

5. He shall forthwith give information at the nearest police-station of the loss or theft of any ¹[arms] covered by this license.

6. The licensee shall not keep Government arms or ammunition.

Explanation.—For the purpose of this condition—

- (a) "Government arm" means a firearm or other weapon which is the property of Government; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, condition 6 may be cancelled by the authority granting the license if empowered to do so by the Local Government, and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

²[7]. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

²8. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

- (a) the name, description and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase.]

²[9]. This license shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

- (i) is sold,
- (ii) is attached in execution of a decree.

¹ As amended by Notification No. 236, dated the 9th February, 1911, see Gazette of India, 1911, Pt. I, p. 93.

² Conditions 7 and 8 were inserted and condition 7 renumbered "9" by the notification referred to in the first footnote.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—contd.

SCHEDULE VII—contd.

FORM No. XIX.

[RULE 30.]

FEES—

(a) when granted under rule 30 (1) (a) (b), **FOUR ANNAS IN STAMP FOR EACH WEAPON,**

(b) when granted under rule 30 (1) (c), **FREE OF ALL FEE.**

License for going armed on a journey in or through any province.

1	2		3				4	5	6
Name, description and residence of licensee and Agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY.		RETAINERS (IF ANY) COVERED BY THE LICENSE.				Place of departure, route and place of destination.	Period which the journey is likely to occupy.	Period for which the license is valid.
	Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms or ammunition that retainer is entitled to carry.			
						Description. Quantity.			From the _____ _____ to the _____ _____ 19 ____

(Signature.)

Seal.

The _____ 19 ____

Commissioner of Police, _____
 Magistrate of the _____ District.
 Political Agent for the _____ State.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN ARMS ACT, 1878 (XI OF 1878).

Rules relating to Arms, Ammunition and Military Stores—*concl'd.*

SCHEDULE VII—*concl'd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.
2. It covers only the persons named, and the arms and ammunition described therein, and such retainers (if any) as may be entered in column 3.
3. The licensee or any retainer acting under this license shall not, unless specially empowered in this behalf by the authority granting the license, go armed in a railway carriage or to a fair, religious procession or other public assemblage.
4. The licensee shall, at the time of purchasing any new arms or ammunition, cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

- (a) the name, description and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase.

5. He shall not go armed with Government arms or ammunition.
Explanation.—For the purposes of this condition,—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

[See Gazette of India, 1909, Pt. I, p. 691.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

LOCAL AUTHORITIES LOAN ACT, 1879 (XI OF 1879).

Rules for the grant of Government loans to Local Authorities—*contd.*

(iv) when the application is made by one of the corporations specified in clause (a) of the Proviso to section 8 of the Act, or by the Rangoon Municipality,

the Local Government, if it approves the application, shall not itself proceed to sanction it, but shall refer it for the orders of the Governor General in Council.

(2) If it is not proposed to take the whole of the loan during the current financial year, and if the portion to be taken in future years exceeds one lakh of rupees per annum, the Local Government shall report the proposals to the Government of India.

¹[12. The Local Government shall make such provisions as may seem to be necessary for the proper inspection of all works which are being carried out by means of a loan, and for ascertaining and securing that the loan is duly applied to the work for which it has been made, and that, when the work for which a loan has been granted is completed, any unexpended balance of such loan is not employed otherwise than in accordance with Rule 12A.]

¹[12A. If on the completion of the work for which a loan has been taken, the Local Government is satisfied that the whole of the loan has not been spent on the work, it shall direct that the unexpended balance be forthwith repaid to Government and the principal of the debt be reduced by an equivalent amount. The Local Government may direct such variation as it may consider necessary on this account in the instalments fixed for the liquidation of the loan.]

13. If the Local Government considers that the conditions on which a loan was granted have not been fulfilled, or that the Local Authority has failed to comply with any of the requirements of these rules, it may, at any time, order that no further payments shall be made on account of such loan, and recover the amount advanced, with interest thereon, in the manner mentioned in section 6 of the Act.

14. (1) Interest shall be charged yearly or half-yearly, as the Local Government may determine on each loan at the rate agreed upon; and shall be reckoned and paid on each instalment from the date on which it is received.

(2) A penal rate of compound interest not less than 6 per cent. per annum shall be payable, at the discretion of the Local Government, upon all overdue instalments of interest or of principal and interest.

¹ Rule 12 was substituted and rule 12A added by Notification No. 222-A., dated the 28th June, 1912, see Gazette of India, 1912, Pt. I, p. 725.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

LOCAL AUTHORITIES LOAN ACT, 1879 (XI OF 1879).

Rules for the grant of Government loans to Local Authorities—*concl.*

15. The Local Authority may, at any time, with the previous consent of the Local Government, repay the whole or any part of a loan in advance of the period fixed by the conditions of the loan.

16. The cost of any inquiry made under Rule 8, of advertisements published under Rule 10, of inspections made under Rule 12, and of any other proceedings by order of the Local Government or the Governor General in Council under these rules, shall be determined by the Local Government, and shall be paid by the Local Authority.

17. (1) The accounts of every loan shall be kept by the account officer of the province in which it is made.

(2) The Local Authority shall give to the account officer and the Local Government any information which they may require regarding the expenditure of the loan and regarding its funds.

18. [*Rescinded, see Notification No. 3429-A., dated 1st July, 1910, Gazette of India, 1910, Pt. I, p. 538.*]

19. An attachment of any funds under section 6 of the Act shall be made by a notice to the Local Authority prohibiting the collection or management of such funds by the Local Authority, and vesting the administration thereof in such officer as the Local Government may appoint. Such notice shall be published in the local official Gazette and otherwise; as may be directed by the Local Government within the local limits of the area subject to the control of the Local Authority. The moneys collected or received under such attachment shall be paid into the Government Treasury; and the accounts of money so collected and of the cost of the collection, shall be prepared in such form as the Local Government may from time to time direct. A copy of the accounts shall be delivered to the Local Authority, and published in the local official Gazette.

[*See Gazette of India, 1907, Pt. I, p. 575.*]

Rules for raising of loans by Local Authorities in open market.

No. 6566-A., dated the 21st October, 1907.—In exercise of the powers conferred by sections 5 and 7 of the Local Authorities Loan Act, 1879, the Governor General in Council has made the following rules for the raising of loans by Local Authorities in the open market:

1. These rules shall come into force on the 1st day of November, 1907. On and from that date the rules published with the Notification No. 16, dated the 1st January, 1889, as subsequently amended, shall be rescinded, except as regards loans applied for before these rules come into force.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

LOCAL AUTHORITIES LOAN ACT, 1879 (XI of 1879).

Rules for raising of loans by Local Authorities in open market—*contd.*

2. In these rules—

- (1) "the Act" means the Local Authorities Loan Act, 1879.
- (2) "the Local Authority" means the Local Authority applying for permission to raise, or, as the case may be raising or having raised the loan; and
- (3) "Loan" means a loan under the Act.

3. Every loan shall be defined in rupee currency unless the Local Government, with the previous sanction of the Governor General in Council, directs that any particular loan shall be defined in sterling currency.

4. A loan shall not be raised except for works of public utility—

- (a) within the local limits of the area subject to the control of the Local Authority, or
- (b) for the benefit of the inhabitants within those limits.

5. ¹[The Governor General in Council shall determine, in each case, the period within which the loan shall be repaid except as provided in the proviso to rule 10.]

6. When it is desired to obtain the authorization of the Government to the raising of a loan under section 7 of the Act, a statement shall be submitted to the Local Government showing:

- 1st—the work for which the loan is required, and an estimate of the cost of the entire work or of such part of it as it is proposed to carry out from loan funds;
- 2nd—the amount which it is proposed to borrow;
- 3rd—the fund on the security of which it is proposed to borrow;
- 4th—the law under which the said fund is levied, received or held;
- 5th—the dates within which the money is to be raised, and when it is proposed to raise the loan in instalments, the amount of each instalment, the dates within which the first instalment is to be raised, and the years in which it is intended to raise the other instalments;
- 6th—the rate of interest at which it is proposed to borrow;
- 7th—the term of years for which the money is to be borrowed, the instalments in which it is to be repaid, or the amount

¹ As substituted by Notification No. 6215-A., dated the 30th October, 1908, see Gazette of India, 1908, Pt. I, p. 971.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

LOCAL AUTHORITIES LOAN ACT, 1879 (XI OF 1879).

Rules for raising of loans by Local Authorities in open market—*contd.*

¹[If such a loan] is raised by instalments, the dates within which each further instalment is to be raised shall be reported for the previous approval of the Government of India before it is put upon the market.

12. The Local Government shall make such provisions as may seem to be necessary for the proper inspection of all works which are being carried out by means of a loan, and for ascertaining and securing that the loan is duly applied to the work for which it has been made. Every such work and the accounts connected therewith shall be open at all times to the inspection of the Superintending or Executive Engineer, in whose division the work is situate, and of any person who may be authorized to inspect the accounts of the Local Authority, and of any other person specially authorized by the Local Government in this behalf.

13. The cost of any inquiry made under Rule 7 of advertisements published under Rule 9, of inspections made under Rule 12, and of any other proceedings by order of the Local Government or the Governor General in Council under these rules, shall be determined by the Local Government and shall be paid by the Local Authority.

14. If a loan is not repayable by annuities or annual drawings the Local Authority shall out of its income pay yearly or half-yearly, into a sinking fund a sum which, accumulating at such rate of compound interest as ²[the authority sanctioning the loan] may fix, will be sufficient to secure the liquidation of the loan within the term fixed for its repayment. The Local Authority shall submit the accounts of its sinking fund to the Accountant-General, and shall at once make good from its revenues any amount by which he may certify that the fund falls short of what it ought to contain.

15. The Local Authority shall give to the account officer and the Local Government any information which they may require regarding the expenditure of the loan, and regarding its funds.

16. An attachment of any funds under section 6 of the Act shall be made by a notice to the Local Authority prohibiting the collection or management of such funds by the Local Authority, and vesting the administration thereof in such officer as the Local Government may appoint. Such notice shall be published in the local official Gazette,

¹ Substituted for the words "if the loan," by Notification No. 6215-A., dated the 30th October, 1908, see Gazette of India, 1908, Pt. I, p. 971.

² Substituted for the words "the Government of India" by Notification referred to in the first footnote.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***LOCAL AUTHORITIES LOAN ACT, 1879 (XI OF 1879).****Rules for raising of loans by Local Authorities in open market—*contd.***

and otherwise, as may be directed by the Local Government, within the local limits of the area subject to the control of the Local Authority. The moneys collected or received under such attachment shall be paid to the lender, and the accounts of moneys so collected and of the cost of collection, shall be prepared in such form as the Local Government may from time to time direct. A copy of the accounts shall be delivered to the Local Authority, and published in the local official Gazette.

¹[17. Notwithstanding anything contained in the foregoing rules, it shall be permissible for the Local Authority, with the previous sanction of the Governor General in Council, to raise a loan by means of debentures repayable at the option of the said Local Authority, and to such a loan the provisions of rule 5 or rule 14 shall not apply.]

[See Gazette of India, 1907, Pt. I, p. 577.]

¹ Added by Notification No. 2050-A., dated the 30th October, 1913, see Gazette of India, 1913, Pt. I, p. 996

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Relief of distressed seamen or apprentices in Bengal.

No. 1574, dated the 25th June, 1886.—In exercise of the powers conferred by sections 58 and 67 of the ¹Indian Merchant Shipping Act, 1880, the Governor General in Council is pleased to make the following rules regarding the relief of distressed seamen or apprentices in Bengal:—

I of 1880.

Relief of distressed seamen.

In these rules the term “distressed seamen” includes—

- (a) all seamen and apprentices being native Indian subjects of Her Majesty who have been shipwrecked, discharged, or left behind at any place in British India, whether from any British ship employed in the merchant service, or from any of Her Majesty's ships, or who have been engaged by any person acting either as principal or agent to serve in any ship belonging to any foreign power, or to the subject of any foreign State, and who are in distress in any such place;
- (b) all seamen and apprentices not being native Indian subjects who have been shipwrecked, discharged, or left behind at any place in British India from any British ship registered in British India, and who are in distress in any such place.

2. In taking charge of distressed seamen, the local authority will provide them with subsistence and clothing, as their necessities may require, but upon the most reasonable terms possible, and no more expensive clothing should be supplied to an officer than to a common seaman. Beds and bedding should not be supplied except under special circumstances, and the value of clothing should not exceed Rs. 10 for each person. In any case of unusual expense, when the local authority considers it absolutely necessary to deviate from the foregoing rules, or to provide relief for a longer period than one month, a statement of the exceptional circumstances which necessitated the further outlay is to accompany his accounts when transmitted for audit. Money payments to the seamen themselves for purposes of relief must be avoided as far as practicable.

3. In all cases to which section 62 of the Act applies, a report should be submitted by the local authority to the Government, in order to admit of the seaman's wages (if any are due) and the expenses incurred in his behalf being recovered from the master or owner or other person liable under section 63 of the Act.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Relief of distressed seamen or apprentices in Bengal—contd

Conveyance home of distressed seamen.

4. Distressed seamen who are in receipt of relief are to be sent home by the earliest available opportunity, and British vessels requiring men to make up their complement should be preferred in order to admit of the seamen earning wages while being so sent; but if no such vessel can be found, and if there is no immediate prospect of any such vessel requiring men, they should be sent as supernumeraries on board the British vessels (whether registered in British India or not) that may be in the port at the time, and bound to their homes, or to ports near their homes, as the case may be; provided, however, that no ship be required to convey more than one supernumerary to every fifty tons of her registered tonnage. Distressed seamen who refuse to work, if able, for their passage home, cease to be entitled to further relief under these rules.

5. The local authority will endorse upon the agreement of the British ship, on board which distressed seamen are sent under section 56 or section 57 of the Act, the name of each man sent on board and the day on which he was sent on board. He will also, in the case of a distressed seaman sent on board under section 57, fill up, sign, and deliver to the master an order with certificate in Form A for the seaman's conveyance.

6. Whenever there are no British merchant vessels to which distressed seamen can be allotted, and the local authority thinks it desirable, in order to avoid expense, to engage a passage for them in foreign merchant vessels, he may do so on the best terms he can obtain. He should avoid, if practicable, making any payment beforehand for such passage, but should report the terms to the Government, and direct the master to apply for payment to the shipping master at the port to which the vessel is bound.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING

Relief of distressed seamen or

FORM

Form of Order for the conveyance of distressed seamen under Rule VII of

1	2	3	4	5	6	7
Date of embarkation.	The name of the person to be conveyed.	The status of the person to be conveyed, whether master, seaman, or apprentice.	The place at which the seaman was shipwrecked, discharged, or left behind.	The name, official number, and port of registry of the ship from which the seaman was shipwrecked, discharged, or left behind.	The cause of the seaman being left behind; in the case of sickness, it should be stated whether the sickness was the result of injury in the service of the ship; if the seaman was illegally left behind, the breach of law should be specified.	The province of which the seaman is a native, and his present home.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

Act, 1880 (VII of 1880).

apprentices in Bengal—*contd.*

A.

5 of the Rules passed by Government under sections 58 and 67, Act 1880.

8	9	10	11	12	13	14
The port at which he is to be landed.	Amount of subsistence provided under section 55.	IF WAGES WERE RECEIVED BY THE LOCAL AUTHORITY.			IF NO WAGES WERE RECEIVED BY THE LOCAL AUTHORITY.	
		The amount received	The amount expended and chargeable to wages.	The amount, if any, remaining to credit.	The amount, if any, due	By whom payable.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.

No.

To The Master of the ship.
Pursuant to the Indian Merchant Shipping Act, 1880, sections 56 and 57, you are hereby required to receive on board your vessel, and convey to _____, the seamen herein named.

For the subsistence of such as are supernumeraries over and above the number of the crew with which the vessel commenced her voyage, you will be paid at the rate of _____ per man per diem on presentation of this order, and on your duly making declaration as per reverse. Dated at _____ this _____ day of _____ 18 ____.

(Sd.)

Local authority.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING

Relief of distressed seamen or

FORM

Form of Order for the conveyance of distressed seamen under Rule
VII of

1	2	3	4	5	6	7
Date of embarkation.	The name of the person to be conveyed.	The status of the person to be conveyed, whether master, seaman, or apprentice.	The place at which the seaman was shipwrecked, discharged, or left behind.	The name, official number, and port of registry of the ship from which the seaman was shipwrecked, discharged, or left behind.	The cause of the seaman being left behind; in the case of sickness, it should be stated whether the sickness was the result of injury in the service of the ship; if the seaman was illegally left behind, the breach of law should be specified.	The province of which the seaman is a native, and his present home.

5 of the Rules passed by Government under sections 58 and 67, Act 1880.

8	9	10	11	12	13	14
The port at which he is to be landed.	Amount of subsistence provided under section 55.	If wages were received by the Local Authority.			If no wages were received by the Local Authority.	
		The amount received.	The amount expended and chargeable to wages.	The amount, if any, remaining to credit.	The amount, if any, due	By whom payable.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.

No.

Pursuant to the Indian Merchant Shipping Act, 1880, sections 56 and 57, you are hereby required to receive on board your vessel, and convey to _____, the seamen herein named.

For the subsistence of such as are supernumeraries over and above the number of the crew with which the vessel commenced her voyage, you will be paid at the rate of

per man per diem on presentation of this order, and on your duly making declaration as per reverse. Dated at this day of 18 .

(Sd.)

Local authority.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Relief of distressed seamen or apprentices in Bengal—*concl'd.*

Declaration to be made before the local authority at the port to which the seamen are ordered to be conveyed.

Particulars of ship in which the distressed seamen are conveyed.	Names of seamen received on board.	Date when subsistence on board commenced.	If landed, where; if not landed, cause to be stated.	Date when landed or disposed of.	Number of days during which subsistence was afforded.
Name					
Official No.					
Tonnage					
Number of crew on outward voyage					
Number of crew on homeward voyage . . .					
Total number of days					

I , master of the abovenamed ship, do solemnly and sincerely declare that the seaman above referred to was afforded subsistence by me for the period stated, during the whole of which time I had my full complement of men (excepting) exclusive of the aforesaid seaman, and that the above statements are correct.

Declared before me
this day of

19 .

Signature of the Local Authority.

Master's signature.

Master's address:-

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Relief of distressed seamen and apprentices in Madras, Bombay and Burma.

No. 4255, dated the 23rd November, 1886.—In exercise of the powers conferred by section 58 and 67 of the Indian Merchant Shipping Act, 1880, the Governor General in Council is pleased to make the following rules regarding the relief of distressed seamen or apprentices in Madras, Bombay and Burma:— VII of 1880.

Relief of distressed seamen.

In these rules the term “distressed seamen” includes—

- (a) all seamen and apprentices being native Indian subjects of Her Majesty who have been shipwrecked, discharged, or left behind at any place in British India, whether from any British ship employed in the merchant service, or from any of Her Majesty's ships, or who have been engaged by any person acting either as principal or agent to serve in any ship belonging to any foreign power, or to the subject of any foreign State, and who are in distress in any such place;
- (b) all seamen and apprentices not being native Indian subjects who have been shipwrecked, discharged, or left behind at any place in British India from any British ship registered in British India, and who are in distress in any such place.

2. In taking charge of distressed seamen, the local authority will provide them with subsistence and clothing, as their necessities may require, but upon the most reasonable terms possible, and no more expensive clothing should be supplied to an officer than to a common seaman. Beds and bedding should not be supplied except under special circumstances, and the value of clothing should not exceed Rs. 10 for each person. In any case of unusual expense, when the local authority considers it absolutely necessary to deviate from the foregoing rules, or to provide relief for a longer period than one month, a statement of the exceptional circumstances which necessitated the further outlay is to accompany his accounts when transmitted for audit. Money payments to the seamen themselves for purposes of relief must be avoided as far as practicable.

3. In all cases to which section 62 of the Act applies, a report should be submitted by the local authority to the Government, in order to admit of the seaman's wages (if any are due) and the expenses incurred in his behalf being recovered from the master or owner or other person liable under section 63 of the Act.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Relief of distressed seamen and apprentices in Madras, Bombay and Burma—*contd.*

Conveyance home of distressed seamen.

4. Distressed seamen who are in receipt of relief are to be sent home by the earliest available opportunity, and British vessels requiring men to make up their complement should be preferred in order to admit of the seamen earning wages while being so sent; but if no such vessel can be found, and if there is no immediate prospect of any such vessel requiring men, they should be sent as supernumeraries on board the British vessels (whether registered in British India or not) that may be in the port at the time, and bound to their homes, or to ports near their homes, as the case may be; provided, however, that no ship be required to convey more than one supernumerary to every fifty tons of her registered tonnage. Distressed seamen who refuse to work, if able, for their passage home, cease to be entitled to further relief under these rules.

5. The local authority will endorse upon the agreement of the British ship, on board which distressed seamen are sent under section 56 or section 57 of the Act, the name of each man sent on board and the day on which he was sent on board. He will also, in the case of a distressed seaman sent on board under section 57, fill up, sign, and deliver to the master an order with certificate in Form A for the seaman's conveyance.

6. Whenever there are no British merchant vessels to which distressed seamen can be allotted, and the local authority thinks it desirable, in order to avoid expense, to engage a passage for them in foreign merchant vessels, he may do so on the best terms he can obtain. He should avoid, if practicable, making any payment beforehand for such passage, but should report the terms to the Government, and direct the master to apply for payment to the shipping master at the port to which the vessel is bound.

Forms.

(Identical with those attached to Notification No. 1574, dated the 25th June, 1886, supra. p. 560.)

[See Gazette of India, 1886, Pt. I, p. 710.]

Subsistence and Passage of distressed Seamen and Apprentices.

No. 10760—12, dated the 19th December, 1907.—In exercise of the power conferred by section 61 of the Indian Merchant Shipping Act,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANT SHIPPING ACT, 1880 (VII OF 1880).

Subsistence and Passage of distressed Seamen and Apprentices—*concl'd.*

1880 (VII of 1880), and in supersession of the Notification by the Government of India in the Finance and Commerce Department No. 1572, dated the 25th June, 1886, the Governor General in Council is pleased to fix the following rates of payment for the subsistence and passage of distressed seamen and apprentices who are sent on board a British ship under section 57 of the said Act, and are in excess of the number wanted to make up the complement of the crew:—

	For steam vessels	For sailing vessels.
	Rs. A. P.	Rs. A. P.
For the conveyance of Certificated officers and Apprentices, when diet and accommodation superior to that usually afforded distressed seamen are furnished; otherwise the same as No. 2	3 6 0	1 11 0
2. For the conveyance of Uncertificated officers and crew, including Chinese and other native seamen when afforded the same diet as European seamen	2 4 0	1 2 0
3 For the conveyance of Lascars (and other native seamen when subsisted on similar diet)	1 2 0	0 9 0
4. For the conveyance of seamen discharged from the vessels in which their conveyance is ordered, or from vessels belonging to the same owners	Half the above rates	

[See Gazette of India, 1907, Pt. I, p. 1142.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE MUNICIPAL TAXATION ACT, 1881 (XI OF 1881).

Exemption of persons in military employ from certain Municipal taxes.

No. 162, dated the 18th November, 1881.—In exercise of the powers conferred by section 3 of Act XI of 1881 ¹(The Municipal Taxation Act, 1881), the Governor General in Council is pleased to prohibit the levy by any Municipal Committee upon the persons described below of taxes of the following kind.

Persons exempted.

All persons exclusively in military employ, or belonging to any department directly attached to the Army or to the Public Works Department, Military Branch, being persons subject to the Army Discipline and Regulation Act, 1879, or to the Indian Articles of War, and compelled by the exigencies of military duty to reside within the limits of a Municipality.

Taxes from the operation of which exemption is granted.

- (1) Municipal taxes on salaries.
- (2) Municipal taxes on professions, trades, callings, officers or appointments.
- (3) Municipal taxes on horses, mules, or ponies kept for military duty.
- (4) Municipal tolls leviable on any ferry or road in respect of animals or vehicles kept or used for military duty.

(NOTE.—To supersede the order issued in the Home Department, Nos. 1—38—52, dated the 24th April, 1880.)

[See Gazette of India, 1881, Pt. I, p. 1295.]

Exemption of bicycles and tricycles owned by soldiers from municipal tax.

No. 77, dated the 2nd May, 1907.—In exercise of the powers conferred by section 3, clause (a) of the Municipal Taxation Act, 1881 (XI of 1881), and in supersession of the Home Department notifications mentioned on the margin, the Governor General in Council is pleased to prohibit the levy by any municipal committee of any tax payable in respect of a bicycle or tricycle by a warrant or non-commissioned officer or soldier who is compelled by the exigencies of military duty to reside within the limits of a municipality.

[See Gazette of India, 1907, Pt. I, p. 336.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE PORTUGUESE CONVENTION ACT, 1881 (XVII OF 1881).

Coins coined under the Portuguese Convention.

¹No. 791, dated the 25th May, 1881.—*His Excellency the Governor General in Council is pleased to republish for general information the following extract article six of a Convention, dated 12th April, 1880, between Their Excellencies the Governors General of British India and Portuguese India, which has acquired the force of law within British India by Act XVII of 1881:—*

"All silver and copper Portuguese coins coined under the provisions of this Convention shall, while this Convention remains in force, be legal tender in payment or on account throughout British India to the same extent, and subject to the same exceptions in the case of coin which has been called in, or is under weight, or has been clipped, filed or defaced, as in the case of the corresponding silver and copper coins issued by the authority of the Government of British India for the time being in British India."

"All silver and copper coin which has been issued by the authority of the Government of British India shall, to the same extent and subject to the same exceptions, be a legal tender in payment or on account throughout Portuguese India."

All Treasury and other Officers of Government are directed to treat the new Portuguese coins as legal tender accordingly.

[See Gazette of India, 1881, Pt. I, p. 214.]

¹ The Convention has expired, and the Act (XVII of 1881) has been repealed.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public.

No. 1433, dated 30th September, 1886.—In exercise of the power conferred by section 139 of Act XXVI of 1881, "The Negotiable Instruments Act, 1881, (as amended by Act II of 1885), the Governor General in Council is pleased to make the following Rules for the guidance and control of Notaries Public appointed under that Act, and fixing the fees payable to those Notaries:—

1. Notaries Public shall, in transacting business under the Act, use the forms set forth in the Appendix to this Notification.

2. Besides recording declarations of payment for honour (section 113), Notaries Public shall, following the practice existing in the Presidency-towns, also register notings and protests made by them. No particular form of register is necessary for these purposes, but Notaries Public shall keep a substantial blank book in which to enter copies of all the letters which they may write presenting bills for acceptance or payment or better security; of all bills¹ noted, or protested, or paid for honour, together with all endorsements thereon (including that made by themselves, to the effect that the bill has been noted or protested for non-acceptance or non-payment or want of better security); and of all protests made by themselves and of all declarations made by payers for honour. Notaries Public shall further, after examination of each entry in the book, affix their signature thereto, and, where demand of acceptance or payment or better security was made by a clerk, shall cause him to affix his signature also to the entry relating to the demand.

3. The book shall be known as the Notarial Register, and the pages thereof shall be numbered consecutively.

4. Every Notary Public shall permit the District Judge or such officer as the Local Government from time to time appoints in this behalf to inspect his register at such times, not oftener than twice a year, as the District Judge or officer may fix.

5. When the original instrument is in an Oriental language, any noting or protest or entry in his register which has to be made in respect of the instrument, by a Notary Public may be made either in that language or in English.

6. In making presentments of bills or notes, Notaries Public shall observe the provisions of Chapter V of the Act:

Provided that it shall not be necessary for a Notary Public to allow the drawee of a bill of exchange time for deliberation as provided by section 63.

¹ Genl. Acts, Vol. III.

* In cases where the language of the bill is unknown to the Notary Public, and where it is impossible to find any one acquainted with the language of the bill to copy it into the register, an entry in the register of an abstract of the bill will be sufficient.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI of 1881).

Rules relating to Notaries Public—contd.

7. Every Notary Public shall use a plain circular seal, bearing if he has been appointed by name, his name and the name of the local area within which he has been appointed to exercise his functions and the circumscription "Notary Public," and, if he has been appointed by virtue of his office, the name of his office and of the local area within which he has been appointed to exercise his functions and the circumscription "Notary Public."

8. Every Notary Public shall have an office at such place within the local area for which he has been appointed as may be approved in this behalf by the District Judge.

9. Notaries Public shall charge fees at the rates mentioned below, namely:—

(1) For noting an instrument—

		Rs.	Rs.
If the amount of the instrument does not exceed	.	1,000	2
If it exceeds Rs. 1,000 but does not exceed	.	5,000	3
Do. „ 5,000 do.	.	20,000	5
Do. „ 20,000 do.	.	30,000	6
Do. „ 30,000 do.	.	50,000	7
Do. „ 50,000 do.	.	...	8

(2) For protesting an instrument—

If the amount of the instrument does not exceed	.	1,000	6
If it exceeds Rs. 1,000 but does not exceed	.	5,000	7
Do. „ 5,000 do.	.	20,000	10
Do. „ 20,000 do.	.	30,000	11
Do. „ 30,000 do.	.	40,000	12
Do. „ 40,000 do.	.	50,000	13
Do. „ 50,000 do.	.	60,000	14
Do. „ 60,000 do.	.	70,000	15
Do. „ 70,000 do.	.	80,000	16
Do. „ 80,000 do.	.	90,000	17
Do. „ 90,000 do.	.	1,00,000	18
Do. „ 1,00,000 do.	.	.	22

(3) For recording a declaration of payment of honour, 2-S.

(4) Duplicate protests,—half the charge for the original.

NOTE—In addition to the above fees, travelling allowance, at the rate of three annas a mile by rail and eight annas a mile by road, may be charged when the Notary Public is required to attend at any place more than one mile from his office.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

10. These rules shall come into force on the first day of January, 1887.

APPENDIX.

I.

Form of Noting.

(See Section 99.)

(To be made upon the instrument or upon a paper attached thereto, or partly upon each.)

Reference to page in Notarial Register.

Date of presentment and dishonour.

Reason, if any, assigned for dishonour (or, if the instrument has not been expressly dishonoured, reason why holder treats it as dishonoured).

Date of Note.

(Sd.) A. B.,

Notary Public.

Notary's Charges.

II.

Form of Protest of Bill of Exchange for non-acceptance.

(See Section 101.)

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in *(here state the local area for which the Notary Public has been appointed)* in British India, at the request of C.D. of , did, at *(in person) (by my clerk) (by registered letter)*, cause due and customary presentment to be made to, and did demand acceptance of, the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed") from E. F., the person upon whom the said bill is drawn, to which demand he made answer *(state terms of answer, if any)* (or "to which demand he gave no answer"); wherefore I, the said Notary, at the request aforesaid by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the drawer of the said bill of exchange and all other parties thereto and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI of 1881).

Rules relating to Notaries Public—*contd.*

all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of acceptance of the said bill.

Which I attest.

(Sd.) A. B.,

Notary Public.

M. N. }
O. P. } Witnesses

NOTE.—When, after a bill is protested and before the protest is drawn up, it is accepted for honour, the protest should further state the name of the person by whom, and of the person for whom, and the manner in which, such acceptance was offered and effected.

III.

Form of Protest of Bill of Exchange for non-acceptance when the Drawee cannot be found.

(See Section 101.)

(a) Where search was made by Notary Public in person or by his clerk.

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (here state the local area for which the Notary Public has been appointed) in British India, at the request of C. D. of , did (in person) (by my clerk), make due search at for E. F. in order to present to, and demand from, him acceptance of the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed") which is drawn upon the said E. F., but was unable to find him; wherefore I, the said Notary; at the request aforesaid by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the drawer of the said bill of exchange and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of acceptance of the said bill.

(b) Where registered letter was sent to the drawee.

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (here state the local area for which the Notary Public has been appointed) in British India, at the request of C. D. of , did send by post a registered letter addressed to E. F. at ,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI of 1881).

Rules relating to Notaries Public—contd.

wherein I enclosed and demanded from him acceptance of the bill of exchange hereto annexed (or “a literal transcript whereof and of everything written or printed thereupon is hereto annexed”) which is drawn upon the said E. F., but the letter was returned undelivered, because the said E. F. could not be found; wherefore I, the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the drawer of the said bill of exchange and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of acceptance of the said bill.

Which I attest,

(Sd.) A. B.,

Notary Public,

M. N. }
O. P. } Witnesses.

NOTE.—When, after a bill is protested and before the protest is drawn up, it is accepted for honour, the protest should further state the name of the person by whom, and of the person for whom, and the manner in which, such acceptance was offered and effected.

IV.

Form of Protest of Promissory Note or Bill of Exchange for non-payment.

(See Section 101.)

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (*here state the local area for which the Notary Public has been appointed*) in British India, at the request of C. D. of did cause due and customary presentment to be made at (*in person*) (*by my clerk*) (*by registered letter*) to and did demand payment of the promissory note (or bill of exchange, *as the case may be*) hereto annexed (or “a literal transcript whereof, and of everything written or printed thereupon is hereto annexed”) from E. F., the maker of the said promissory note (*or drawee, or acceptor, of the said bill of exchange, as the case may be*), to which demand he made answer (*state the terms of his answer, if any*) (or “to which demand he gave no answer”); wherefore I, the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the maker of the said promissory note (*or the drawer of the said bill of exchange, as the case may be*) and all other parties

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of payment of the said promissory note (or bill of exchange, as the case may be).

Which I attest,

(Sd.) A. B.,

Notary Public,

M. N. }
O. P. } Witnesses.

NOTE.—When, after a bill is protested and before the protest is drawn up, it is paid for honour, the protest should further state the name of the person by whom, and of the person for whom, and the manner in which, such payment was offered and effected.

V.

Protest of Promissory Note or Bill of Exchange for non-payment when the Maker, Drawee, or Acceptor (as the case may be) cannot be found.

(See Section 101.)

(a) *Where search was made by Notary Public in person or by his clerk.*

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (here state the local area for which the Notary Public has been appointed) in British India, at the request of C. D. of did (in person) (by my clerk) make due search at for E. F., the maker (or drawee, or acceptor, as the case may be) in order to present to and demand from him payment of the promissory note (or "bill of exchange," as the case may be) hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed"), but was unable to find him; wherefore I, the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the maker of the said promissory note (or drawer of said bill of exchange, as the case may be) and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of payment of the said promissory note (or bill of exchange, as the case may be).

(b) *Where registered letter was sent to the maker, drawee or acceptor.*

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (*here state the local area for which the Notary Public has been appointed*) in British India, at the request of C. D. of , did send by post a registered letter addressed to E. F. at , the maker (*or drawee, or acceptor, as the case may be*), wherein I enclosed and demanded from him payment of the promissory note (*or "bill of exchange," as the case may be*) hereto annexed (*or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed"*), but the letter was returned undelivered because the said E. F. could not be found; wherefore I the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the maker of the said promissory note (*or the drawer of the said bill of exchange, as the case may be*) and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of payment of the said promissory note (*or bill of exchange, as the case may be*).

Which I attest,

(Sd.) A. B.,

Notary Public,

M. N. }
O. P. } Witnesses.

NOTE.—When, after a bill is protested and before the protest is drawn up, it is paid for honour, the protest should further state the name of the person by whom, and of the persons for whom, and the manner in which, such payment was offered and effected.

VI.

Form of Protest of Bill of Exchange for better Security.

(See Section 101.)

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (*here state the local area for which the Notary Public has been appointed*) in British India, at the request of C. D. of , did exhibit the bill of exchange hereto annexed (*or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed"*) to E. F., the person on whom the said bill is drawn, and whose acceptance appears thereon, and did demand better security for the payment thereof when the

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

same should become payable in consequence of the said E. F. having become insolvent (or "his credit having been publicly impeached," as the case may be), to which demand he made answer (or "to which demand he gave no answer"); wherefore I, the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the drawer of the said bill of exchange and the acceptor and all other parties thereto, and all others concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of better security for the payment of the said bill when due and payable.

Which I attest,

(Sd.) A. B.,

Notary Public,

M. N. }
O. P. } Witnesses.

NOTE.—When, after a bill is protested and before the protest is drawn up, it is accepted for honour, the protest should further state the name of the person by whom, and of the person for whom, and the manner in which, such acceptance was offered and effected.

VII.

Form of Protest of Bill of Exchange for better Security when the Acceptor cannot be found.

(See Section 101.)

(a) *Where such was made by Notary Public in person or by his clerk.*

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (here state the local area for which the Notary Public has been appointed) in British India, at the request of C. D. of did (in person) (by my clerk) make due search at for E. F., in order to exhibit the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed") to the said E. F., the person on whom the said bill is drawn, and whose acceptance appears thereon, and demand better security for the payment thereof when the same should become payable in consequence of his having become insolvent (or "his credit having been publicly impeached," as the case may be), but was unable to find him; wherefore I, the said Notary, at the request aforesaid, by this writing, do in the presence of M. N. and O. P., witnesses, protest against

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—contd.

the drawer of the said bill of exchange and the acceptor and all other parties thereto and all concerned for all exchange, re-exchange, and all costs, damages, and interest present and to come for want of better security for the payment of the said bill when due and payable.

(b) *Where registered letter was sent to the acceptor.*

On the day of 19 , I, A. B., a Notary Public appointed under the Negotiable Instruments Act, 1881, of in (*here state the local area for which the Notary Public has been appointed*) in British India, at the request of C. D. of , did send by post a registered letter addressed to E. F. at , wherein I enclosed the bill of exchange hereto annexed (or “ a literal transcript whereof and of everything written or printed thereupon is hereto annexed ”), and did by such letter demand from the said E. F., the person on whom the said bill is drawn and whose acceptance appears thereon, better security for the payment thereof when the same should become payable in consequence of his having become insolvent (or “ his credit having been publicly impeached,” *as the case may be*), but the said letter was returned undelivered because the said E. F. could not be found; wherefore I, the said Notary, at the request aforesaid, by this writing, do, in the presence of M. N. and O. P., witnesses, protest against the drawer of the said bill of exchange and the acceptor and all other parties thereto and all others concerned for all exchange, re-exchange, and all costs, damages and interest present and to come for want of better security for the payment of the said bill when due and payable.

Which I attest,

(Sd.) A. B.,

Notary Public,

M. N. } Witnesses:
O. P. }

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Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

at _____ has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

(Sd.) A. B.,
Notary Public.

IX.

Form of Notice of Protest to Indorser to be given by a Notary Public.

(See Section 102.)

Take Notice that a bill of exchange for (*here state the amount*) drawn by _____ under date the _____

and payable at _____ and bearing your indorsement has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

(Sd.) A. B.,
Notary Public.

X

Form of Notarial Act of Declaration having been made by a Payer for Honour.

(See Section 113.)

On the _____ day of _____ 19____, I, A. B., a Notary Public appointed under the Indian Negotiable Instruments Act, 1881, of _____, in (*here state the local area for which the Notary Public has been appointed*) in British India, do hereby certify that the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed") (now protested for non-payment) was this day exhibited to Y. Z. of _____

in the ^{Presidency} _____ of _____

in British India (or to _____ his agent in this behalf, as the case may be), who declared before me that he, the said Y. Z., would pay the amount of the said bill under protest for the honour of (*here insert the name of the party for whose honour the payment is to be made*), holding the said (*here insert the name of the party for whose honour the payment is to be made*) and the drawer and

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Take notice that a bill of exchange for *(here state the amount)* drawn by you under date the _____ on _____ and payable

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI OF 1881).

Rules relating to Notaries Public—*contd.*

at _____ has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

(Sd.) A. B.,
Notary Public.

IX.

Form of Notice of Protest to Indorser to be given by a Notary Public.

(See Section 102.)

Tako Notice that a bill of exchange for (*here state the amount*) drawn by _____ under dato the

on _____ and bearing your indorsement has been dishonoured by non-acceptance (or non-payment, as the case may be) and protested, and that you will be held liable thereon.

(Sd.) A. B.,
Notary Public

X

Form of Notarial Act of Declaration having been made by a Payer for Honour.

(See Section 113.)

On the _____ day of _____ 19____, I, A. B., a Notary Public appointed under the Indian Negotiable Instruments Act, 1881, of _____, in (*here state the local area for which the Notary Public has been appointed*) in British India, do hereby certify that the bill of exchange hereto annexed (or "a literal transcript whereof and of everything written or printed thereupon is hereto annexed") (now protested for non-payment) was this day exhibited to Y. Z. of _____ in the _____ Presidency of _____ in British India (or to _____ his agent in this behalf, as the case may be), who declared before me that he, the said Y. Z., would pay the amount of the said bill under protest for the honour of (*here insert the name of the party for whose honour the payment is to be made*), holding the said (*here insert the name of the party for whose honour the payment is to be made*) and the drawer and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NEGOTIABLE INSTRUMENTS ACT, 1881 (XXVI of 1881).

Rules relating to Notaries Public—*concl'd.*

all other proper persons responsible to him, the said Y. Z., for the amount of the said bill and for all proper costs, interest, damages, and expenses; I have, therefore, in the presence of M. N. and O. P., witnesses, granted this Notarial Act of honour accordingly.

Which I attest,

(Sd.) A. B.,

Notary Public.

M. N. }
O. P. } Witnesses.

[See Gazette of India, 1886, Pt. I, p. 548.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Investiture of Revenue Commissioner, North-West Frontier Province, with the powers and duties of a Commissioner of Division.

No. 5660-S.R., dated the 9th November, 1901.—In exercise of the power conferred by section 4 of the Indian Salt Act, 1882 (XII of 1882), the Governor General in Council is pleased to appoint the Revenue Commissioner of the North-West Frontier Province to exercise and perform the powers and duties conferred and imposed by the said Act on a Commissioner of a Division.

[See Gazette of India, 1901, Pt. I, p. 950.]

Rules for the manufacture of salt under license.

No. 1892, dated the 27th June, 1884.—The following Rules made by the Governor General in Council, in exercise of the powers conferred by the Indian Salt Act, 1882, are published under section 29 of the said Act, in supersession of those published with Notifications No. 156, dated 30th June, 1876, No. 1897, dated 25th July, 1879, No. 111, dated 17th April, 1880, No. 3755, dated 20th November, 1880, and No. 1245, dated 19th March, 1881. XII of 1882.

Preliminary.

1. These rules are applicable to the territories mentioned in the 3rd clause of section 1 of the Act, with the following exceptions:—

- (a) Such portion of the said territories as lies on the right bank of the Indus with the exception of the Kunalbagh mines and an area of 10 miles round them.
- (b) The Province of Sindh.

Manufacture of salt under license.

2. No person who is not duly licensed in the manner hereinafter provided shall manufacture salt.

3. Any person wishing to manufacture salt shall apply for a license to the Salt Revenue Officer in charge of the division or circle in which it is desired to carry on the manufacture, who, subject to the general control of the Commissioner of Northern India Salt Revenue, shall grant or withhold it as he shall see fit.

4. Each such license shall contain the name of the person to whom it is given, and shall specify the limits within which such manufacture shall be carried on and the places where the salt so manufactured shall be stored, and shall be subject to the following conditions:—

- 1st.—That the provisions of the Act and of all rules and subsidiary rules duly made under it shall be strictly observed by the licensee, his agents and servants.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

2nd.—That none but good salt capable in the judgment of the Salt Revenue Officer in charge of the division or circle of bearing the duty fixed from time to time by the Governor General in Council under section 7 of the Act shall be manufactured. All inferior salt shall be destroyed by being thrown back into the salt wells or pans in the presence of such officer.

3rd.—That no alteration shall be made in the pans, wells or other plant of the salt-work as existing at the date of granting the license without written sanction from the Salt Revenue Officer in charge of the division or circle.

And shall be subject to such further conditions as the Commissioner may from time to time prescribe for the protection of the Government revenue.

5. The manufacture of salt and the storage and sale of the salt manufactured shall be carried on in conformity with the conditions of the license and of the subsidiary rules issued from time to time by the Commissioner and under the supervision of the officers of the Salt Revenue Department.

6. Licenses may be cancelled by the Salt Revenue Officer in charge of the division or circle giving one month's notice or on the application of the licensee.

In the case of cancelment of license for infringement of its conditions no notice shall be necessary.

7. Salt in store at any salt-work, a license to manufacture salt at which has been cancelled or withholden, shall be removed within six months of the date of such cancelment or withholding. The Assistant Commissioner may cause any salt which may remain in store at such salt-work after the expiry of such period of six months to be put up to auction and sold if the price offered be equal to the excise duty leviable thereon. If the price bid be less than the excise duty leviable thereon, the Assistant Commissioner may cause the salt to be effectually destroyed.

8. Nothing in the foregoing rules shall apply to the manufacture of salt by or on behalf of Government.

Protected areas, and possession, storage and sale of salt within them.

9. The area defined for the purposes of section 6, clause (e), of the Act, round each salt mine or salt-bed in the Punjab Mines Division shall extend to a distance of 10 miles from the boundary of each mine or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII of 1882).

Rules for the manufacture of salt under license—*contd.*

bed on all sides, except that it shall not include any territory lying on the left bank of the river Jhelum.

The area defined for the purpose of section 6, clause (c), round any other salt-work shall extend to a distance of two miles from the boundary of the salt-work on all sides.

The areas above defined are termed "protected areas."

10. No person shall possess any salt within a protected area unless accompanied by a pass, *rawannah* or certificate covering the same as provided in the following rules. This rule does not apply to the possession, on the right bank of the Indus, of grey salt, the produce of the Kohat and Bannu districts.

11. No salt shall be removed from the place of manufacture, or, after storage, from the place of storage, to any place in the salt-works in which it has been manufactured except under a written pass from the Salt Revenue Officer in charge of the works, and all salt removed under such pass shall be weighed or estimated by measurement previous to such removal by the Salt Revenue establishments.

12. No salt shall be removed from the salt-works unless covered by a *rawannah* certifying that the duty at the rate fixed from time to time by the Governor General in Council under section 7 of the Act has been paid on it or under the authority in writing of the Salt Revenue Officer in charge.

13. (1) Except as otherwise provided in these rules or in the rules published with Notification No. 547-Exc., dated the 25th January, 1905, any person wishing to remove salt from the salt-works shall first pay the charges due thereon into such Government treasury or sub-treasury as may from time to time be appointed in this behalf, and shall in return be granted a receipt. Fractions of quarter maunds shall be paid for as quarter maunds.

(2) The charges referred to in sub-rule (1) are the duty and price at the rates respectively fixed and in force on the day when payment is made into the treasury or sub-treasury.

14. He shall present the receipt with a written requisition to the officer appointed by the Commissioner to receive it, and shall receive in lieu a *rawannah* for the salt, signed by the said officer and sealed in his presence.

15. The *rawannah* shall be current and valid for such period as the Commissioner may from time to time prescribe.

¹ Rule 13 was substituted by Notification No. 541-Exc., dated the 25th January, 1905. see Gazette of India, 1905, Pt. I, p. 47.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

The period of currency shall count from the day on which the *rawannah* is delivered to the applicant, that day being included and being noted on the face of the *rawannah*.

16. Provided that when a *rawannah* is presented and the salt it covers is weighed and clearance given to the holder of the *rawannah* by the Inspector or Assistant Inspector more than seven days previous to the expiry of the period of the currency of the *rawannah*, such *rawannah* shall cease to be valid on the expiry of seven days from the date on which the salt has been weighed, unless the officer of the store by an order endorsed on it allows it to run for its full period or any portion thereof.

17. After the period of currency of a *rawannah* has elapsed, the *rawannah* shall cease to be valid, or of any effect whatever, unless the period be extended in the manner hereinafter provided.

18. The Commissioner may from time to time fix the minimum quantity of salt to be covered by a single *rawannah*.

19. The Commissioner may sanction an abatement for dryage of the salt not exceeding one per cent.

20. On a *rawannah* being presented and salt being issued thereunder, the Salt Revenue Officer concerned, before allowing such salt to leave his charge, shall ascertain that such *rawannah* is still in force and valid, and shall satisfy himself that the *rawannah* covers the amount of salt being issued, and shall then endorse the *rawannah* and return it to the trader or his agent, or to the carrier of the salt. The salt shall then be allowed to proceed to its destination.

21. When salt has been weighed and delivered to the holder of a *rawannah* he shall remove it within 24 hours to a distance of at least one mile from the store, unless the officer in charge of the store, by an order endorsed on the *rawannah*, permits him to keep it within a shorter distance.

22. If previous to utilisation of a *rawannah* any minor particulars in it require rectification, such as the description of carriage, owner's name, etc., application must be made for such rectification to the officer in charge of the depôt or store before delivery of the salt is applied for.

23. If the despatch differs in minor particulars which have not been rectified in the manner prescribed in the preceding rule, the whole despatch shall be again liable to the payment of a fee not exceeding one-twentieth of the original duty, and shall on such payment be cleared, an entry being made on the *rawannah* that the payment has been levied as a penalty for infraction of rule, which infraction should be specified by the officer in his own handwriting.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—contd.

24. If the officer suspect fraud, he may refuse to deliver the salt except under security equivalent to its full value, together with the duty leviable thereon, and shall refer the case for the orders of his superior officer.

25. If the owner of a *rawannah* desires to divide a despatch of salt covered by the *rawannah*, he shall apply to the officer who issued the *rawannah*, and the officer shall issue as many partition *rawannahs* as may be required, and cancel and resume the original *rawannah*.

26. If anything occurs to prevent the owner of a *rawannah* clearing the salt before the expiry of the period of currency of the *rawannah*, the officer who granted the *rawannah* may at his discretion, but subject to such restrictions as the Commissioner may from time to time impose, renew such *rawannah* at any time not more than six months from the date of original issue. If application for renewal is made later than a week before the expiry of the original *rawannah*, it shall be complied with only on the applicant's paying a fee of one-twentieth of the duty originally paid.

The currency of the fresh *rawannah* shall not exceed that of the original *rawannah*.

27. Applications for renewal, except as provided in the preceding rule, shall be forwarded for the orders of the Commissioner, who may authorise such further renewals as he may deem fit.

28. When a *rawannah* is lost or destroyed previous to utilisation the person to whom it was granted may make application to the officer who issued it for a duplicate, and with the application shall deposit with the officer an amount equivalent to the duty paid for the original *rawannah* plus one-twentieth as a fee. The officer may thereupon grant a duplicate *rawannah*.

On the expiry of the currency of the original *rawannah*, if it has not been utilised, the duty so deposited shall be refunded.

29. The Commissioner may, if he sees fit, authorise the refund of the whole or any portion of a fee paid under Rules 23, 26 and 28.

30. The deposit of salt for retail sale to the people inhabiting a protected area may, subject to any conditions prescribed by the Commissioner, be permitted at any place within the limits of the area approved by the Assistant Commissioner. The *rawannah* designed to cover such deposit shall be endorsed by the Assistant Commissioner for that purpose, and shall remain in force for a period not exceeding four months.

31. Every person retailing such salt under such a *rawannah* shall keep a register of sales duly written up, and shall give to each

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

purchaser a certificate stating the date of sale, the name of such purchaser, and the quantity of salt purchased.

32. A certificate given under the foregoing rule shall cover the salt sold under it while in the possession of the purchaser as if it were a *rawannah*.

33. When any salt is stopped for examination within a protected area by a Salt Revenue Officer, the *rawannah* covering the despatch shall be presented by the trader or his agent, or by the carrier of the salt, to such officer, who shall satisfy himself that it is a genuine document, and that its currency has not expired, and may, if necessary, proceed to weigh the despatch.

34. If on weighment of the salt it is found to exceed the quantity entered in the *rawannah*, the following practice shall be observed by the officer:—

- (a) If the excess is not more than one per cent., he shall allow the salt to pass unquestioned.
- (b) If the excess is more than one per cent., he shall detain the despatch and report the matter without delay for the orders of his superior officer for such action as is necessary under the Act.

Importation from Rajputana and Central India and places trans-Indus.

¹35. The transit, from any of the Native States included in the Rajputana and Central India Agencies into any part of the British territory adjoining the same, of salt produced or manufactured in any Native State in the said Agencies, except salt manufactured at the Salt Sources of Sambhar, Didwana or Pachbadra in the States of Jaipur and Jodhpur (which Sources are, in pursuance of agreements made with the Chiefs of those States, administered by the British Government), is prohibited.

²36. The transit of salt from the right to the left bank of the river Indus, except such salt as is the produce of the Kalabagh mines, is prohibited.

³36-A. The importation into any part of the territories to which these Rules apply of the salt known in Calcutta and other parts of the Lower Provinces of Bengal as “pakwa,” being salt which has been obtained in the manufacture of saltpetre and on which the duty for the

¹ Rule 35 substituted by Notification No. 541-Exc., dated the 25th January, 1905, see Gazette of India, 1905, Pt. I, p. 47.

² For rules made in modification of Rule 36, see Notification No. 1316-S. R., dated the 17th March, 1898, *infra*, p. 594.

³ Rule 36-A. was inserted by Notification No. 2639-S. R., dated the 21st August, 1885, see Gazette of India, 1885, Pt. I, p. 501.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

time being imposed under section 7 of the Act has not been paid at the place where the salt was obtained as on salt manufactured in the part of British India where that place is situated, is prohibited absolutely.

Manufacture and refinement of saltpetre and the eduction of salt therefrom.

37. No substance included under the terms "saltpetre" in section 3 of the Act shall be manufactured or refined, and no salt shall be educed therefrom, except under and in accordance with the conditions of a license as hereinafter prescribed.

38. Applications for licenses shall be made to the Salt Revenue Officers in charge of the division or circle in which the works are situated, who may grant the application on receipt of the prescribed license fee.

39. No license shall be granted for the manufacture of crude saltpetre, or any of the other substances included under the term "saltpetre" in section 3 of the Act, unless the licensing officer is satisfied that the soil in the vicinity of the place of manufacture, and the soil from which the said crude saltpetre or other substance is to be produced, do not contain such a percentage of chloride of sodium as to render the manufacture a source of danger to the salt revenue, and unless the works are so situated that they can, without difficulty, be supervised by the Salt Revenue Department.

40. As a general rule no refinery shall be licensed until the parties applying for a license have satisfied the licensing officer that they are prepared to produce within the period of the license not less than two hundred maunds of refined saltpetre.

41. No refinery shall be licensed until the parties applying for a license have satisfied the licensing officer that the refinery buildings and premises are so constructed and surrounded by a wall as to afford full security for the levy of the duty on salt educed therein.

42. The following fees shall be levied in prepayment for licenses for each description of work:—

For the manufacture and refining of saltpetre, including the eduction of salt therefrom, Rs. 50.

For the manufacture of saltpetre—

	Rs.	a.	p.
In Behar	0	4	0
Elsewhere	2	0	0

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII of 1882).

Rules for the manufacture of salt under license—*contd.*

For the manufacture of sulphate of soda (khari) by solar heat in evaporating pans—

	<i>Rs. a. p.</i>
In Behar	0 4 0
Elsewhere	10 0 0

For the manufacture of sulphate of soda (khari) by artificial heat—

	<i>Rs. a. p.</i>
In Behar	0 4 0
Elsewhere	2 0 0

For the manufacture of any other substance included under the term "saltpetre" in section 3 of the Act—

	<i>Rs. a. p.</i>
In Behar	0 4 0
Elsewhere	2 0 0

43. The license for the manufacture of crude saltpetre or other substance included under the term "saltpetre" in section 3 of the Act, to be granted to persons not licensed to refine the "saltpetre" or educe salt therefrom, shall contain the name of the person to whom it is given, and shall specify the place where such manufacture may be carried on and the approximate quantity of saltpetre which should be manufactured, and shall contain the following conditions:—

1st.—That the provisions of the Act and of all rules and subsidiary rules duly made under it shall be strictly observed by the licensee, his agents, and servants.

2nd.—That no process for refining the crude saltpetre shall be resorted to.

3rd.—That the plant specified in the license shall not be altered, or the locality of the works changed, without written sanction from the Salt Revenue Officer in charge of the circle.

And shall be subject to such further conditions as the Commissioner may from time to time prescribe for the protection of the Government revenue.

44. The license for the manufacture and refinement of saltpetre and for the eduction of salt therefrom shall contain the name of the person to whom it is given, and shall specify the place where such refinement of saltpetre and eduction of salt may be carried on, and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII of 1882).

Rules for the manufacture of salt under license—*contd.*

the approximate quantity of saltpetre to be refined, and shall also contain the following conditions:—

- 1st.—That the provisions of the Act, and of all rules and subsidiary rules duly passed under it, shall be strictly observed by the licensee and his agents and servants.
- 2nd.—That the refinery buildings and surrounding walls shall be kept in good repair to the satisfaction of the Salt Revenue Officer in charge of the circle, and so as to afford full security for the Government revenue.
- 3rd.—That the number of pans and boilers specified in the license shall not be altered without the written sanction of the Salt Revenue Officer in charge of the circle.
- 4th.—That the licensee shall maintain a daily register showing the quantity of crude saltpetre purchased or manufactured, of the saltpetre refined therefrom, and of the salt educed from such saltpetre, and of the quantities of any of these substances which may be sold and removed from the refinery.
- 5th.—That no saline substance, other than refined saltpetre, shall be removed from the refinery, except with the written sanction of the Salt Revenue Officer of the circle, and if the substance is by law subject to the payment of duty, on payment of Rupees 2 per maund of such substance, provided that with the written sanction of the Salt Revenue Officer of the circle any saline substance subject to the payment of duty, may, without such payment, be so removed for destruction at some convenient place outside the refinery under the supervision of the Salt Revenue Officer of the circle, or other Salt Revenue Officer named in the sanction.

And shall be subject to such further conditions as the Commissioner may from time to time prescribe for the protection of the Government revenue.

45. All licenses granted under this Chapter shall be for a period ending on or before the 31st July following the date of their issue, and shall on expiry be returned to the Salt Revenue Officer.

46. Duplicates of licenses lost or destroyed during the period of their currency may be obtained on payment of one-quarter of the original license fee.

47. Every licensee shall produce his license for inspection when called upon to do so by any officer of the Salt Revenue Department not

¹ This condition was substituted for the original condition by Notification No. 4556 S. R., dated the 29th September, 1887, see Gazette of India, 1887, Pt. I, p. 453

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

below the rank of Sub-Inspector or by any subordinate deputed by him for the purpose.

48. All licensed works and all premises connected therewith shall be open at all times by day or night for the inspection of any such officer or subordinate deputed by him for the purpose.

49. All diaries, registers, books of account and the like connected with the business of licensed works shall at all times be open to the inspection of any such officer or of any subordinate deputed by him for the purpose.

50. All salt shall be daily weighed and placed in a bonded store-house under lock and key, which key shall remain in possession of the Salt Revenue Officer attached to the refinery.

Subject to such directions as the Commissioner may give from time to time, it shall be at the discretion of the Inspector or Sub-Inspector from time to time to cause such salt to be weighed in his presence and removed from the bonded store-house. The licensee shall within twenty-four hours subsequent to such weighment and before the removal of the salt pay the duty leviable thereon.

51. When salt has thus been weighed and the duty paid, it shall with all possible despatch be removed to a distance of more than one hundred yards from any part of the refinery premises under a pass signed by the said Inspector or Sub-Inspector.

The pass shall be current for such period, not exceeding twenty-four hours, as may be deemed necessary for the removal of the salt.

A pass shall not be granted for a less quantity than twenty maunds, except for the purpose of emptying the store-house.

52. Except as hereinbefore provided, or with the permission of the Assistant Commissioner of Salt Revenue, no person shall possess any salt at any place within the limits of, or within one hundred yards from, the nearest point of any saltpetre manufactory or refinery and its appurtenances.

53. If any licensee under the foregoing rules fails during the period of the license to carry on effective working at the place at which he is licensed to carry on the same, the licensing officer may suspend the license until the licensee is prepared to resume effective working there.

Seizure, disposal or destruction of things liable to be seized or destroyed under the Act.

54. In all cases in which illicitly manufactured salt or saltpetre is seized by any Salt Revenue Officer below the grade of Inspector, such

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

officer shall at once proceed with the salt or saltpetre so seized, and any person concerned in the manufacture that he may have been able to arrest, and any independent witnesses to the seizure whose attendance he may be able to secure, to the nearest police post. The senior officer present at such police post shall receive from the seizing officer the salt or saltpetre so seized, and in the presence of witnesses and accused shall, after weighing and recording the weight of each, take from each distinct kind or quality of salt or saltpetre seized (if there be more than one such kind or quality) two samples of not less than one tola each which he shall seal with the official seal of the police station, and after numbering them deliver them to the officer who made the seizure, recording at the same time a note on the printed form of seizure which will be presented to him, specifying the total weight of each kind seized, according to the weighments made before him, and the corresponding numbers of the samples. The remainder of the salt or saltpetre shall be sealed up with the seal of the officer who made the seizure and of the police station, and shall remain in the malkhanna or other secure place in such station, till such time as a written order shall be sent by the Inspector of the circle either for the destruction of the article seized, which shall be carried into effect by the officer presenting such request in the presence of some officer of the police station, and the same certified on the reverse of the order, or for the delivery of the same, or part thereof, as the case may be, to the bearer of the order for production in Court.

55. When a seizure is made by an Inspector in person, he may either follow the foregoing procedure, deputing one of his subordinates present at the seizure to take the salt or saltpetre to the station and receive the samples, or he may himself on the spot take out and seal up the samples and the rest of the seized salt or saltpetre with his own official seal. He may then either take the salt or saltpetre seized with him to deposit where he considers it will be safest, or send it for deposit to the nearest or most accessible police station to be kept as in the previous case till further orders. If, however, the Inspector himself seals the salt or saltpetre, he must, in the event of the identity of the salt or saltpetre produced in Court being denied by the accused, be prepared to attend and prove the same in person.

56. When anything is seized and detained under the Act or the rules made under the Act, it shall not be released until all duty, penalties, and charges due on account thereof have been paid by the owner to the Salt Revenue Officer who is in possession of such thing.

If the thing is reported for confiscation, it shall not be released unless orders for the release are received from competent authority.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*contd.*

57. If an animal is so seized and detained, the owner shall provide for its due care and keep, in default of which the animal may be sold to defray charges.

58. If orders are received from competent authority for the release of anything seized and detained, and no duty or penalty is payable in respect of such thing, it shall at once be given up to the owner or his agent on his paying all charges incurred.

59. Should no one be present to receive the thing released, the officer of Salt Revenue in charge shall do his best to give notice to the owner of the order of release, and shall cause a similar notice to be affixed on the office premises and at the Assistant Commissioner's office.

If within two calendar months from the date of the notice, no person entitled to receive the thing claim it, and pay all charges incurred, it shall be sold, and the proceeds placed in deposit.

After a further period of three calendar months, the money shall be forfeited to Her Majesty.

60. If any duty is leviable or penalty is imposed by competent authority in respect of the thing seized, unless such duty or penalty, together with all charges incurred, be paid within three days of the receipt of the orders of competent authority for release subject to such payment, the thing shall be sold, and from the proceeds the duty, penalty, and charges shall be deducted, and the balance made over to the owner or his agent.

Should no one be present to receive the money, notice as under Rule 59, shall be given, the money being kept in deposit for three calendar months.

If not claimed within the period, it shall be forfeited to Her Majesty.

61. When orders are received from competent authority for the confiscation of anything seized and detained, it shall, with all convenient despatch, be sold or destroyed as the Assistant Commissioner of Salt Revenue may direct.

62. When a Magistrate orders the confiscation of works, materials, or implements under section 9 of the Act, they shall be sold or destroyed by dismantling or otherwise under the orders of the Assistant Commissioner of Salt Revenue.

Appeals.

63. Any person who may be dissatisfied with an order passed by the Inspector of a circle may appeal to the Assistant Commissioner of the Division, and any person dissatisfied with an order passed by an Assistant Commissioner may appeal to the Commissioner, whose decision shall be final.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for the manufacture of salt under license—*concl'd.*

Subsidiary Rules and Forms.

64. The Commissioner of Salt Revenue may make subsidiary rules, and prescribe all forms necessary for the administration of the Act and these Rules.

[See Gazette of India, 1884, Pt. I, p. 246.]

Duty on Salt manufactured or imported by land into British India.

No. 1748-Exc., dated the 20th March, 1907.—In exercise of the powers conferred by section 7 of the Indian Salt Act, 1882 (XII of 1882), and in supersession of the Notification by the Government of India in the Finance Department No. 1727-Exc., dated the 22nd March, 1905, the Governor General in Council is pleased to direct that, on and after the 20th March, 1907, the duty to be paid on salt manufactured in, or imported by land into, British India shall be as follows:—

- (a) In the case of salt manufactured in any part of British India other than Aden and of salt (other than salt manufactured at the salt-sources of Sambhor, Didwana or Pachhadra in the Rajputana Agency, on which a duty has been imposed by Notification No. 1750-Exc. of this date) imported by land into any part of British India, one rupee for each maund of 82½ pounds, avoirdupois; and
- (b) In the case of salt manufactured in Aden, one rupee for each 140 pounds, avoirdupois.

11.—The foregoing orders shall not affect the orders contained in any Notification of the Government of India not hereinbefore expressly mentioned.

[See Gazette of India, 1907, Pt. I, p. 241.]

Remitting duty payable on certain salt.

No. 2112-S.R., dated the 20th April, 1903.—In exercise of the power conferred by section 7, clause (b), of the Indian Salt Act, 1882 (XII of 1882), and in supersession of the Notification of the Government of India in the Department of Finance and Commerce, No. 1724, dated the 21st April, 1893, the Governor General in Council is pleased to remit the duty imposed by Notification No. 1512, dated the 18th March 1903, on salt manufactured in, or imported by land into, British India, in cases in which any such salt is issued, in accordance with rules made with the previous sanction of the Governor General in Council, for use in any process of manufacture.

[See Gazette of India, 1903, Pt. I, p. 289.]

¹ See now Notification No. 1748-Exc., dated the 20th March, 1907, which now stands in place of this Notification. *Supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Remission of duty on wasted salt when exported in square-rigged vessels from the Bombay Presidency to certain ports in British India.

No. 3164-Exc., dated the 1st June, 1905.—In exercise of the powers conferred by section 7, clause (b), of the Indian Salt Act, 1882 (XII of 1882), the Governor General in Council is pleased to remit, subject to any rules which the Governor of Bombay in Council may make in this behalf, the duty in respect of the actual amount of salt wasted, up to a maximum of 5 *per cent.*, which is imposed under clause (a) of the said section on salt manufactured in the Presidency of Bombay when such salt is exported by sea in square-rigged sailing vessels or steamers to the ports of Calcutta, Madras, Mangalore, Cochin, Ponani, Beypur, Calicut, Badagara, Tellicherry and Cannanore in British India.

[See Gazette of India, 1905, Pt. I, p. 371.]

Remission of duty on salt exported from Madras to certain places beyond British India.

No. 4351-S.R., dated the 16th August, 1901.—In exercise of the powers conferred by section 7, clause (b), of the Indian Salt Act, 1882 (XII of 1882), the Governor General in Council is pleased to remit the duty imposed under clause (a) of the said section on salt manufactured in the Province of Madras, where such salt is exported, in accordance with such rules as the Governor in Council may make in this behalf, to the Straits Settlements, Mauritius or Zanzibar.

[See Gazette of India, 1901, Pt. I, p. 608.]

Remission of duty on salt exported from Madras to Travancore.

No. 4352-S.R., dated the 16th August, 1901.—In exercise of the powers conferred by section 7, clause (b), of the Indian Salt Act, 1882 (XII of 1882), the Governor General in Council is pleased to remit the duty imposed under clause (a) of the said section on salt manufactured in the Province of Madras, where such salt is exported by land in accordance with such rules as the Governor in Council may make in this behalf, to the State of Travancore.

[See Gazette of India, 1901, Pt. I, p. 608.]

Prohibitions as to the transit of salt under certain conditions on or across the Indus.

No. 1316-S.R., dated the 17th March 1898.—The following rules made by the Governor General in Council, in exercise of the powers conferred by section 27 of the Indian Salt Act, 1882, are published under section 29 of the said Act, in modification of rule 36 of the rules published under Notification No. 1892¹, dated 27th June, 1884, and of

¹ *Supra*, p. 581.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Prohibitions as to the transit of salt under certain conditions on or across the Indus —*contd.*

Notification No. 3154, dated 21st June, 1889, and in supersession of Notification No. 1452, dated 8th April, 1891:—

Rule 1.—The transit of salt from the right to the left bank of the river Indus in any quantity exceeding five seers, except such salt as is the produce of the Kalabagh mines, is prohibited.

Rule 2.—The transit of salt in any quantity exceeding five seers on that part of the river Indus which lies within the territories administered by the Lieutenant-Governor of the Punjab, except when covered by a pass signed by an officer of the Northern India Salt Department of rank not lower than that of a Superintendent, certifying that duty has been paid on the salt covered by the pass at the rate for the time being in force in the Cis-Indus districts of the Punjab, is prohibited.

Rule 3.—The importation into, or the transit over, any part of that portion of the territories administered by the Lieutenant-Governor of the Punjab which lies east of the river Indus, of salt produced in the district of Kohat in the Punjab in any quantity exceeding five seers, is prohibited.

[*See Gazette of India, 1898, Pt. I, p. 275.*]

Rules for transmission by Railway of salt from Sambhar, Pachhadra and Khewra.

No. 547-Exc., dated the 25th January 1905.—In exercise of the powers conferred by section 28 of the Indian Salt Act, 1882 (XII of 1882), and by the Indian (Foreign Jurisdiction) Order in Council, 1902, and in pursuance of the agreement made with the Chief of the State of Jaipur, dated the 7th August, 1869, and the agreements made with the Chief of the State of Jodhpur, dated the 27th January, 1870, and the 18th April, 1870, and 18th January, 1879, which provide for the lease to the British Government of the Salt Sources of Sambhar, Didwana and Pachhadra within the said States, the Governor General in Council is pleased to make the following rules to regulate the receipt from the public and the acceptance by the Assistant Commissioners of Salt Revenue at Sambhar, Pachhadra and Khewrah of indentments for the supply of salt under the system called the through traffic system, and the transmission of such salt direct by rail to the station named by the applicant.

II. Notifications No. 3583, dated the 20th July, 1889, No. 1308, dated the 20th March, 1890, and No. 3689, dated the 19th June, 1903, by the Government of India in the Finance and Commerce Department are hereby cancelled.

Rules.

I. The salt shall be issued as uniform in quality as possible but no selection shall be allowed.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for transmission by Railway of salt from Sambhar, Pachhadra and Khewra—*contd.*

2. (1) The applicant for salt shall either remit to the Assistant Commissioner in currency notes or by money order, or, if he prefers it, pay into any authorised Treasury or Sub-Treasury, or into any Post Office which has been specially appointed in this behalf by the Director-General of the Post Office of India, or into any station of the Great Indian Peninsula (Indian Midland) Railway which has been specially appointed in this behalf by the General Traffic Manager of the said railway with the concurrence of the Commissioner of Northern India Salt Revenue, the duty payable on the salt he requires, together with its price, the price including the cost of the salt and all charges made in connection with bagging, weighing, loading and despatching it.

When the duty and price are paid into a Post Office a fee of two annas per one hundred rupees upon the amount thereof (subject to a minimum fee of ten annas in respect of each application) shall be paid at the same time.

(2) Forms of indents or applications for salt shall be issued free of charge.

(3) The duty and price shall be those payable at the rates respectively fixed and in force on the day when the remittance is received by the Assistant Commissioner or payment is made as aforesaid.

3. (1) When payment is made into a Treasury or Sub-Treasury, the officer receiving the money shall give the person tendering it a receipt, and shall by the same day's post despatch advice of the receipt to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied.

(2) When payment is made into a station on the Great Indian Peninsula (Indian Midland) Railway, the Station Master receiving the money shall give the person tendering it a receipt and shall at once send a copy of the receipt, through the Cashier to the Audit Office of the Railway, and the copy of the receipt so sent shall be forwarded (duly countersigned by or on behalf of the Chief Auditor), as an advice, to the Assistant Commissioner by whom the salt is to be supplied.

(3) When payment is made into a Post Office the Postmaster shall himself transmit the indent to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied advising him at the same time of the receipt of the sum paid by the applicant for the salt.

4. (1) Indents or applications for salt, accompanied by currency notes, or supported by receipts granted by Treasury Officers or Station Masters on the Great Indian Peninsula (Indian Midland) Railway or by money orders sent separately through the Post Office, shall be sent

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII OF 1882).

Rules for transmission by Railway of salt from Sambhar, Pachbadra and Khewra—*contd.*

by post in a registered cover to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied.

(2) Full and accurate particulars shall be given in the indent or application as to the destination of the salt, the bags in which it is to be sent, the route by which it is to be despatched and the person or persons to whom it is to be consigned and to whom the railway receipt is to be sent.

(3) The Assistant Commissioner, after comparing the receipt accompanying an indent or application with the advice from the receiving officer, and satisfying himself that it is correct and in order, or in the case of a remittance, after crediting the sum remitted, shall without any avoidable delay cause the salt to be despatched, freight unpaid, to the consignee, and shall send the railway receipt by post to the consignee or other person who may have been specified in the indent or application.

5. The salt indented for shall be weighed, filled into bags, and loaded into the railway waggons without any further charges than those specified in rule 2. .

6. (1) Persons indenting for salt must provide bags in sufficient number, and must see—

(a) that the bags are legibly and accurately marked and consigned to the Assistant Commissioner of Salt Revenue by whom the salt is to be supplied, and that the railway receipt for the bags is posted to him;

(b) that all charges on the bags are fully paid; and

(c) that the bags are sufficiently strong to hold the salt during the journey.

(2) If the conditions prescribed by sub-rule (1) are not complied with, the Assistant Commissioner of Salt Revenue may refuse to fill the salt into the bags sent.

7. The consignee shall pay the railway freight and charges of the consignment. It must be distinctly understood that the Government is responsible only for the due delivery of the salt to the railway, and that the railway receipt is a sufficient release to the Government for the quantity of salt consigned.

[See Gazette of India, 1905, Pt. I, p. 48.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN MERCHANT SHIPPING ACT, 1883 (V of 1883).

Forms of Agreement between masters of ships and lascars and other native seamen.

Resolution No. 4817—4822-5, dated the 4th July, 1912.—

Resolution by the Department of Commerce and Industry—

- No. 4352—4358-27, dated the 6th June, 1906.
- No. 5755—5759-41, dated the 25th July, 1906.
- No. 7213—7217-24, dated the 26th August, 1907.
- No. 7989—7994-24, dated the 19th September, 1907.
- No. 3224—3229-20, dated the 29th April, 1910.
- No. 7148-45, dated the 12th October, 1910.
- No. 896—901-5, dated the 8th February, 1911.
- No. 5298—5304-5, dated the 14th July 1911.
- No. 6230—6236-5, dated the 21st August, 1911.

The form of Agreement to be entered into between masters of ships and lascars or other native seamen was prescribed in Finance and Commerce Department Resolution No. 1096-S.R., dated the 25th February, 1903, and has since then been modified in certain particulars.

by the Resolutions noted in the margin.

2. It was recently suggested by the Government of Bengal that the form of Agreement should be revised so as to bring it into conformity, as far as possible, with the form prescribed by the Board of Trade. This suggestion was accepted by the Government of India, after consultation with the other maritime Local Governments concerned. The form has accordingly been revised and brought up to date, and the Governor General in Council is pleased to direct, under section 27 (1) of the Indian Merchant Shipping Act, 1883 (V of 1883), and in supersession of all previous orders on the subject, that agreements between masters of ships and lascars or other native seamen shall in future be drawn up in the form annexed to this Resolution.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

Preliminary.

These rules shall not apply to—

- (1) the manufacture, possession or sale of gunpowder in any of the Agency tracts in the Ganjam, Vizagapatam and Godavari Districts of the Presidency of Madras, or
- (2) the possession of any explosive in any port in which special rules made by the Local Government under the Explosives Act, 1884 (IV of 1884), for regulating the possession of explosives, are for the time being in force, ¹[or]
- ¹[(3) the manufacture, possession or sale of toy fireworks, such as paper caps for toy pistols, under such conditions and in such quantities as the Local Government, on the recommendation of the Chief Inspector of Explosives, may from time to time determine.]

General
exemptions.*

Classification
of explosives,

2. (1) For the purposes of these rules, explosives shall be classified as follows, namely:—

Class 1	.	.	.	.	.	.	.	Gunpowder.
„ 2	.	.	.	.	.	.	.	Nitrate-mixture.
„ 3	.	.	.	.	.	.	.	Nitro-compound.
„ 4	.	.	.	.	.	.	.	Chlorate-mixture.
„ 5	.	.	.	.	.	.	.	Fulminate.
„ 6	.	.	.	.	.	.	.	Ammunition.
„ 7	.	.	.	.	.	.	.	Firework.

(2) When any explosive falls within more than one of the said classes, it shall be deemed to belong exclusively to the latest of such classes.

Definition of
“gunpowder”
(class 1).

3. The expression “gunpowder,” as used in these rules, means exclusively gunpowder ordinarily so-called.

¹ For addition of “or” and of sub-clause (3), see Notification No. 4239—3, dated 9th June, 1910, Gazette of India, 1910, Pt. I, p. 468.

* Further exemptions are made by section 14 of the Indian Explosives Act, 1884, which runs as follows:—

“Saving for manufacture, possession, use, sale, transport or importation by Government.

“Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(a) by order of the Government, or

(b) by any person employed under the Government in the execution of this Act, or as a keeper of a magazine, artisan, soldier, sailor, policeman or otherwise, or enrolled as a volunteer under the Indian Volunteers Act, 1869, in the course of his employment or duty as such.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

4. The expression "nitrate-mixture," as used in these rules, means any preparation, other than gunpowder, which is formed by the mechanical mixture of a nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

Definition of "nitrate-mixture" (claus 2).

Nitrate-mixture includes among other explosives,—

Chilworth special powder,
Fortis explosive,

Westfallite.

Hipp-Lene.
Safety blasting powder, and

5. (1) The expression "nitro-compound," as used in these rules, means any chemical compound which is possessed of explosive properties or is capable of combining with metals to form an explosive compound, and is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid), or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

Definition and sub-division of "nitro-compound" (claus 3).

(2) Nitro-compound shall, for the purposes of these rules, be subdivided as follows, namely:—

(a) Division 1, comprising—

(i) such explosives as—

Amberite No. 1,
Ballistite,
Blasting gelatine,
Carbonite,
Cordite,

Stonite, and

Dynamite,
Gelatine dynamite,
Gelignite,
Lithofracteur,
Nitroglycerine, and

(ii) any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound; and

(b) Division 2, comprising—

(i) such explosives as—

Amberite No. 2,
Ammonite,
Bellite,
Cooper's powder,
Cotton gunpowder,
E. C. powder,
Gun cotton ordinarily so-called,

Nitrated gun cotton,
Picrates,
Picric powder,
Reluxite,
Sawdust and gun cotton powder,
Schultze's powder, and
Tente (or cotton powder), and

(ii) any nitro-compound, as hereinbefore defined, which is not comprised in Division 1.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

Definition
and sub-
division of
"chlorate-
mixture"
(class 4).

6. (1) The expression "chlorate-mixture," as used in these rules, means any explosive containing a chlorate.

(2) Chlorate-mixture shall, for the purposes of these rules, be subdivided as follows, namely:—

(a) Division 1, comprising—

(i) such explosives as—

Horsley's blasting powder, and
Brain's blasting powder, and

(ii) any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising—

(i) such explosives as—

Horsley's original blasting powder,
Erhardt's powder,
Reveley's powder,

Hochstadter's blasting charges,
Reichen's blasting charges,
Teutonite, and

Chlorated gun cotton, and

(ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in Division 1.

Definition]
and sub-
division of
"fulminate"
(class 5).

7. (1) The expression "fulminate," as used in these rules, means any chemical compound or mechanical mixture, whether included in any of the foregoing definitions or not, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliance for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

(2) Fulminate shall, for the purposes of these rules, be subdivided as follows, namely:—

(a) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps and any preparation consisting of a mixture of a chlorate with phosphorous, or certain descriptions of phosphorous compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter, and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(b) Division 2, comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol and the nitrate of diazobenzol.

8. (1) The expression "ammunition," as used in these rules, means any explosive included in any of the foregoing definitions, when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form—

- (a) a cartridge or charge for small arms, cannon or any other weapon, or for blasting, or
- (b) a safety or other fuze for blasting or for shells, or
- (c) a tube for firing explosives, or
- (d) a percussion-cap, a detonator, a fog-signal, a shell, a torpedo, a war-rocket, or any other contrivance other than a firework.

Definition of "ammunition," "percussion-cap," "detonator," "safety fuze" and "safety cartridge" and sub-division of "ammunition" (class C).

(2) The expression "percussion-cap," as used in these rules, does not include a detonator.

(3) The expression "detonator," as used in these rules, means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(4) The expression "safety fuze," as used in these rules, means a fuze for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction, and contains an explosive in such quantity, that the burning of such fuze would not communicate laterally with other like fuzes.

(5) The expression "safety cartridge" as used in these rules,—

- (i) means a cartridge for small-arms, the case of which can be extracted from the small-arm after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and
- (ii) includes a rifle-calibre machine-gun cartridge, if it is as described in clause (i), whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (ii) does not exceed one inch.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(6) Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:—

(a) Division 1, comprising exclusively—

Safety cartridges,
Safety fuzes for blasting,
Railway fog-signals, and
Percussion-caps; and

(b) Division 2, comprising any ammunition, as hereinbefore defined, which does not contain its own means of ignition and is not included in Division 1, such as—

Cartridges for small-arms, other than safety cartridges,
Cartridges and charges for cannon, shells, mines, blasting or other like purposes,
Shells and torpedoes containing any explosive,
Fuzes for blasting, other than safety fuzes,
Fuzes for shells,
Tubes for firing explosives, and
War-rockets,

which do not contain their own means of ignition, and

(c) Division 3, comprising any ammunition, as hereinbefore defined, which contains its own means of ignition and is not included in Division 1, such as—

Detonators,
Cartridges for small-arms which are not safety cartridges,
Fuzes for blasting, which are not safety fuzes,
Fuzes for shells, and
Tubes for firing explosives,
containing their own means of ignition.

Explanation.—The expression “ammunition containing its own means of ignition” means ammunition having an arrangement whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

9. Fireworks shall, for the purposes of these rules, be sub-divided as follows, namely:—

Sub-division
of
"firework"
(class 7).

(1) Division 1, comprising firework compositions, that is to say,

(a) any chemical compound or mechanically mixed preparation of an explosive or inflammable nature, which is used for the purpose of making manufactured fireworks, and is not included in any of the foregoing definitions,

(b) any star, and

(c) (except as declared in the proviso to this rule) any coloured fire composition; and

(2) Division, comprising manufactured fireworks, that is to say, any explosive of class 1, 2, 3, 4,¹ or 6 and any firework composition, when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker, toy cap or amaree, serpent, rocket (other than a war-rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals:

Provided that a substantially constructed and hermetically closed metal case containing not more than one pound of coloured fire composition of such a nature as not to be liable to spontaneous ignition shall be deemed to be a "manufactured firework" and not "firework composition."

Licenses when required.

10. (1) An explosive shall not be manufactured except under, and in accordance with the conditions of, a license granted under these rules for such manufacture.

Licence
when
required
for manu-
facture.

(2) Provided that clause (1) of this rule shall not apply—

(a) to the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale; or

(b) to the filling for private use and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use; or

¹ The figure 5 was deleted by Notification No. 1286, dated the 6th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

- (c) in the case of any person who holds a license under these rules to possess an explosive, and who, duly observing the regulations prescribed in clause (1) of rule 30 in connection with his magazine or licensed premises, fills with the said explosive, for sale or otherwise, cartridges for small-arms; or
- (d) in the case of any person who holds a license under these rules to possess an explosive, and who duly observing the regulations prescribed in clause (2) of rule 30 in connection with his magazine or licensed premises, by filling cartridges, making, charges, or drying, sifting, filling or otherwise adapts or prepares the said explosive for use exclusively in his mine or quarry or in some excavation or work carried on by him or under his control.

License
when
required for
possession.

11. (1) An explosive shall not be possessed except under, and in accordance with the conditions of, a license granted under these rules for such possession.

(2) Provided that clause (1) of this rule shall not apply to the possession—

- (a) of any explosive by a carrier or other person for the purpose of transport, when the same is being kept or transported in accordance with rules made under the Indian Explosives Act, 1884 (IV of 1884) and for the time being in force for regulating the transport of such explosive; or
- (b) of any explosive on board any ship in pursuance of the Merchant Shipping Acts for the time being in force, or of any order or regulation for the time being in force thereunder; or
- (c) by any person who is lawfully entitled under the Indian Arms Act, 1878 (XI of 1878), or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, of such explosives in such quantities as may be prescribed by the said Act, or rules, or when no quantities are so prescribed,
 - in reasonable quantities for his own private use; or
- (d) by any person, of manufactured fireworks in any quantity not exceeding two hundred pounds when the same are obtained and intended for immediate use and not for sale and are possessed by such person for a period not exceeding fourteen days, and

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

- (i) not being in Burma, when they are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to the explosives; and (if such fireworks be kept in a municipality in any quantity exceeding fifty pounds) when they are covered by a permit issued by a Magistrate of the first class or a Police-officer not below the rank of Assistant District Superintendent of Police, and
 - (ii) being in Burma, when they are covered by a permit issued free of cost by a Magistrate of the first class or by a Police-officer not below the rank of a District Superintendent of Police requiring them to be kept in a separate closed receptacle in a building or excavation at a safe distance from any dwelling-house, shop or public way, and when they are kept in accordance with the terms of such permit.
- (3) Provided also that clause (1) of this rule shall not apply to the possession by any person, for his private use and not for sale, of,
- (i) gunpowder in any quantity not exceeding thirty pounds; or
 - (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or
 - (iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder; or
 - (iv) cartridges for cannon or blasting, made with gunpowder and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or
 - (v) cartridges for small arms, made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or
 - (vi) small-arm nitro-compound in any quantity not exceeding ten pounds; or
 - (vii) percussion-caps or safety fuzes for blasting; or
 - (viii) railway fog-signals [and flare-lights], when kept by a railway company for use on their Railway; or
 - (ix) [*Deleted by Notification No. 4896—1, dated the 29th July, 1910, Gazette of India, 1910, Pt. I, p. 574*]

¹ See Notification No. 2733 I, dated 15th March, 1902, Gazette of India, 1902, Pt. I, p. 217.

Part II.—General Rules and Orders made under General Acts, of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(4) The quantity of any kind of explosive kept by any person for his private use under clause (3) without a license shall be in substitution for the like quantity of any other kind of explosive (whether gunpowder or not) which might otherwise be so kept by him; and the quantity of such other kind of explosive shall be reduced accordingly: provided that, if the explosive so kept is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so reduced shall be some explosive other than safety cartridges made with gunpowder.

(5) Notwithstanding anything contained in clause (3) or clause (4) of this rule, clause (1) shall apply to the possession for private use of explosives of the 5th (fulminate) class in any quantity.

Saving of notifications under section 6 of the Explosives Act, 1884.

12. Nothing in these rules shall be deemed to authorise the manufacture or possession of any explosive in contravention of any prohibition notified under section 6 of the Indian Explosives Act, 1884 (IV of 1884), and for the time being in force.

License when required for sale.

13. (1) An explosive shall not be sold except under, and in accordance with the conditions of, a license granted under these rules for such sale.

(2) Provided that clause (1) of this rule shall not apply to the sale by any person of an explosive, which he is lawfully entitled to possess for his own private use, to any person who is lawfully entitled to possess the same.

Grant of licenses.

Grant of licenses for manufacture, possession and sale in certain cases.

14. (1) Licenses to manufacture, possess and sell or to possess and sell, or to possess, or to sell from stock kept in a magazine in respect of which a license has been granted under rule 17—

- (a) an explosive of the 1st (gunpowder) class, or
- (b) small-arm nitro-compound belonging to the 3rd class, or
- (c) an explosive of the 1st division of the 6th (ammunition) class,
or
- (d) an explosive of the 7th (firework) class,

may be granted in a Presidency-town or its suburbs or in Rangoon by the Commissioner of Police, and elsewhere, by the District Magistrate.

(2) A license granted under this rule shall not entitle the licensee to possess at the same time more than—

- (i) two hundred pounds of gunpowder or small arm nitro-compound, together with any quantity of explosives contained

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

in ammunition of the 1st division of the 6th (ammunition) class, or

- (ii) two hundred pounds of manufactured fireworks, or
- (iii) sixty pounds of explosives (including gunpowder, small arm nitro-compound and manufactured fireworks) together with any quantity of explosives contained in ammunition of the 1st division of the 6th (ammunition) class, or
- (iv) any such less quantity of any of the said explosives as the licensing officer may think fit to specify in the license:

Provided that a licensee in the Presidency of Madras may, if he obtains a permit to this effect from a Magistrate of the 1st class or a Police-officer not below the rank of Assistant District Superintendent of Police, possess subject to the conditions of his license, for a period of two days at the time of the Dipavali Festival, any quantity of manufactured fireworks not exceeding 1,000 lbs.

¹[Provided also that a licensee in the Presidency of Bombay may, if he obtains a permit to this effect from a Magistrate of the 1st class, or in the city of Bombay, from the Commissioner of Police, possess, subject to the conditions of his license, for the period of seven days any quantity of manufactured fireworks, not exceeding 1,000 lbs.]

(3) Every such license shall specify the place in which alone the explosives referred to in it may be kept; and such place shall (except in the case of a license to sell from stock kept in a magazine in respect of which a license has been issued under rule 17) be approved by the licensing authority.

(4) [*Deleted by Notification No. 4896—1, dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.*]

(5) Every license granted under this rule shall be in Form A, Form B, Form C, ²[or] Form D, ² * * * in the Schedule hereto annexed, as the case may be, and shall contain the conditions prescribed therein.

(6) The expression "small-arm nitro-compound," as used in this rule, means a nitro-compound adapted and intended exclusively for use in cartridges for small-arms.

¹ This provision was added by Notification No. 761-42, dated 31st January, 1910, see Gazette of India, 1910, Pt. I, p. 155.

² The word "or" was added and the word "or Form D" were omitted by Notification No. 4896-1, dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884¹ (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

14. [14-A. (1) Licenses may be granted to contractors, cultivators or other persons to possess explosives for *bonâ fide* blasting purposes. Grant of licenses to contractors, cultivators or other persons to possess explosives for *bonâ fide* blasting purposes. other persons to possess at the same time not more than 100 lbs. of gunpowder, 10 lbs. of other explosives and 100 detonators when the same are proved to the satisfaction of the officer granting the license to be required *bonâ fide* for blasting purposes.

(2) Licenses under this rule may be granted in a Presidency town or its suburbs or in Rangoon by the Commissioner of Police and elsewhere—

- (a) when only gunpowder is to be possessed, by any Magistrate of the 1st class or by a Magistrate of the 2nd class specially authorised by the District Magistrate in this behalf;
- (b) when other explosives are to be possessed, by the District Magistrate.

Every such license shall be in Form E in the schedule hereto annexed and shall contain the conditions prescribed therein.]

15. (1) Licenses to manufacture explosives in cases not provided for by rule 14 may be granted by the Governor General in Council.

(2) Every such license shall be in such form and shall contain such conditions as may be prescribed by the Governor General in Council:

Provided that the conditions so prescribed in the case of the manufacture of any explosive in any quantity shall comprise all the conditions prescribed in these rules and the Forms hereto annexed in the case of the possession of such explosive in such quantity.

16. (1) Licenses for the possession, at such places as may be approved by the licensing officer, of explosives other than those specified in rule 14 may, if the explosive is not one of the 5th (fulminate) class and if the quantity to be possessed at the same time does not exceed sixty pounds, be granted in a Presidency-town or its suburbs or in Rangoon by the Commissioner of Police, and elsewhere, by the District Magistrate.

(2) Every such license shall be in Form F in the Schedule hereto annexed, and shall contain the conditions prescribed therein.

17. (1) Licenses for the possession of explosives in, and the sale of explosives from, a magazine in cases not provided for by rules 14 and 16, may, if the explosive is not one of the 5th (fulminate) class, be granted by the Local Government, or by any officer authorised by the Local Government in this behalf.

¹ Added by Notification quoted in the second footnote on p. 617, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(2) An applicant for such a license must submit to the District Magistrate, or in a Presidency-town or any of its suburbs, or in Rangoon, to the Commissioner of Police, an application in Form G in the Schedule hereto annexed, and shall comply with the conditions embodied therein.

(3) Upon receipt of the said application, the District Magistrate or Commissioner of Police, as the case may be, shall forthwith cause notice to be published of the application and fix a day on which will be heard any persons who object to the establishment of a magazine on the proposed site and who have, not less than seven clear days before the day of hearing, sent to the said District Magistrate or Commissioner of Police, and to the applicant, notice of their intention to appear and object with their name, address and calling, and a short statement of the grounds of their objection.

(4) The day of hearing to be fixed under clause (3) shall be a day following soon after the expiration of a period of one month from the publication and service of the notices prescribed by this rule.

(5) Where the site of the proposed magazine lies within or within one mile of the limits of the jurisdiction of any Municipal Authority or Port Authority, the applicant shall prepare, for service on such Authority, a notice of the application and of the said day of hearing.

(3) The notice by the District Magistrate or Commissioner of Police under clause (3) shall be published: and the notice under clause (5) shall be served, at the cost of the applicant, by the District Magistrate or Commissioner of Police, not less than one month before the said day of hearing.

(7) On consideration of the application, and on making such inquiry as he may deem necessary, the District Magistrate or Commissioner of Police may dissent altogether from the establishment of the magazine on the proposed site or may accept thereof, either absolutely, or on any conditions requiring additional restrictions or precautions.

(8) On the completion of the inquiry, the District Magistrate or Commissioner of Police shall forward the application and draft license with his recommendation to the Chief Inspector of Explosives, who shall forward to the applicant a statement in Form H in the Schedule I annexed, showing the distances which should, in his opinion, be clear round the magazine. The table of distances which will ord. be followed is that annexed to these rules.

(9) The said Form H shall be returned, with the third column filled in, by the applicant to the Chief Inspector of Explosives, who .

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

submit it to the licensing authority constituted by clause (1) of this rule, with his recommendations, and with the draft license and a statement in Form I, showing the distances which, after considering any representation made by the applicant when returning Form H to him, he considers should be kept clear round the magazine.

(10) The licensing authority may thereupon grant the license as applied for, or with such modifications or restrictions as may be deemed proper, or may reject the application.

(11) A copy of each license granted shall be forwarded to the Chief Inspector of Explosives, and the original license shall be forwarded to the District Magistrate or to the Commissioner of Police, as the case may be, if the license has not been granted by him.

(12) The District Magistrate or Commissioner of Police, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; and unless and until so confirmed, the license shall not come into force.

(13) If the District Magistrate or Commissioner of Police decides not to confirm any license, he shall forthwith inform the Chief Inspector of Explosives.

(14) Every license granted under this rule shall be in Form J in the Schedule hereto annexed, and shall contain the conditions prescribed therein.

18. (1) With the previous sanction of the Governor General in Council, the Local Government may, in cases of urgency and for any period not exceeding six months, grant a license for the possession of explosives under rule 17 in a floating magazine.

(2) Notwithstanding anything contained in clause (14) of rule 17, such licenses shall be in Form K in the Schedule hereto annexed, and shall contain the conditions and restrictions prescribed therein and such further conditions and restrictions (if any), as the Local Government may in any case direct.

19. Licenses for the possession of explosives of the 5th (fulminate) class may be granted by the Governor General in Council in such form, and subject to such conditions, as he may in each case prescribe.

20. (1) Licenses for the sale of explosives in cases not provided for by rules 14 and 17 may be granted, in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate, to any person licensed to possess the same.

Grant of license for possession in a floating magazine.

Grant of licenses for possession of fulminates.

Grant of licenses for sale in cases not provided for by rules 14 and 17.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(2) Every such license shall be in Form L in the Schedule hereto annexed, and shall contain the conditions prescribed therein.

Duration of licenses.

21. All licenses granted under any of these rules, except rule 18, shall expire on the 31st day of December of the year for which they are granted. *Duration of licenses.*

Renewal of licenses.

22. The Local Government may from time to time renew, on the same or on altered conditions, any license granted by the Governor General in Council under rule 15 for the manufacture of explosives: *Renewal of licenses granted under rule 15.*

Provided as follows:—

- (1) no such renewal shall admit of the manufacture of any explosive other than that specified in the original license;
- (2) every such renewal shall first be approved by an Inspector of Explosives; and
- (3) every such renewal shall be for a period not exceeding one year.

23. (1) Any licensee who desires the renewal of a license granted under rule 17 must, before the expiration of the license, submit the license to the Chief Inspector of Explosives with a written application stating the quantity and description of explosives for the storage of which he desires the license to be renewed. *Renewal of licenses granted under rule 17.*

(2) On receipt of such application, the Chief Inspector of Explosives shall, if there is any variation in the particulars of the license, send to the applicant a statement in Form H in the schedule hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine.

(3) The procedure prescribed in clauses (9) to (13) of rule 17 shall then be followed, so far as it is applicable.

24. Any license granted under any of these rules other than rule 16 or rule 17 may, unless the circumstances have so changed that the grant of a new license either would not be authorised under the Indian Explosives Act, 1884 (IV of 1884), and these rules, or is deemed objectionable by the licensing authority, be renewed on application made previous to its expiration. *Renewal of other licenses.*

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

submit it to the licensing authority constituted by clause (1) of this rule, with his recommendations, and with the draft license and a statement in Form I, showing the distances which, after considering any representation made by the applicant when returning Form H to him, he considers should be kept clear round the magazine.

(10) The licensing authority may thereupon grant the license as applied for, or with such modifications or restrictions as may be deemed proper, or may reject the application.

(11) A copy of each license granted shall be forwarded to the Chief Inspector of Explosives, and the original license shall be forwarded to the District Magistrate or to the Commissioner of Police, as the case may be, if the license has not been granted by him.

(12) The District Magistrate or Commissioner of Police, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; and unless and until so confirmed, the license shall not come into force.

(13) If the District Magistrate or Commissioner of Police decides not to confirm any license, he shall forthwith inform the Chief Inspector of Explosives.

(14) Every license granted under this rule shall be in Form J in the Schedule hereto annexed, and shall contain the conditions prescribed therein.

Grant of
license for
possession
in a floating
magazine.

18. (1) With the previous sanction of the Governor General in Council, the Local Government may, in cases of urgency and for any period not exceeding six months, grant a license for the possession of explosives under rule 17 in a floating magazine.

(2) Notwithstanding anything contained in clause (14) of rule 17, such licenses shall be in Form K in the Schedule hereto annexed, and shall contain the conditions and restrictions prescribed therein and such further conditions and restrictions (if any), as the Local Government may in any case direct.

Grant of
licenses for
possession of
fulminates.

19. Licenses for the possession of explosives of the 5th (fulminate) class may be granted by the Governor General in Council in such form, and subject to such conditions, as he may in each case prescribe.

Grant of
licenses for
sale in cases
not provided
for by rules
14 and 17.

20. (1) Licenses for the sale of explosives in cases not provided for by rules 14 and 17 may be granted, in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate, to any person licensed to possess the same.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(2) Every such license shall be in Form L in the Schedule hereto annexed, and shall contain the conditions prescribed therein.

Duration of licenses.

21. All licenses granted under any of these rules, except rule 18, shall expire on the 31st day of December of the year for which they are granted. Duration of licenses.

Renewal of licenses.

22. The Local Government may from time to time renew, on the same or on altered conditions, any license granted by the Governor General in Council under rule 15 for the manufacture of explosives: Renewal of licenses granted under rule 15.

Provided as follows:—

- (1) no such renewal shall admit of the manufacture of any explosive other than that specified in the original license;
- (2) every such renewal shall first be approved by an Inspector of Explosives; and
- (3) every such renewal shall be for a period not exceeding one year.

23. (1) Any licensee who desires the renewal of a license granted under rule 17 must, before the expiration of the license, submit the license to the Chief Inspector of Explosives with a written application stating the quantity and description of explosives for the storage of which he desires the license to be renewed. Renewal of licenses granted under rule 17.

(2) On receipt of such application, the Chief Inspector of Explosives shall, if there is any variation in the particulars of the license, send to the applicant a statement in Form II in the schedule hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine.

(3) The procedure prescribed in clauses (2) to (13) of rule 17 shall then be followed, so far as it is applicable.

24. Any license granted under any of these rules other than rule 15 or rule 17 may, unless the circumstances have so changed that the grant of a new license either would not be authorised under the Indian Explosives Act, 1884 (IV of 1884), and these rules, or is deemed objectionable by the licensing authority, be renewed on application made previous to its expiration. Renewal of other licenses.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

Duplicate licenses.

Grant of
duplicate
licenses.

25. When a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee.

Temporary licenses.

Disposal of
stock and
grant of tem-
porary license
on expira-
tion or
forfeiture of
license.

26. (1) A person licensed to manufacture, possess or sell any explosives shall, on the expiration or forfeiture of his license, forthwith give notice to the District Magistrate or the Commissioner of Police, as the case may be, of the quantity of such explosives then in his possession, and shall comply with any directions which the said Magistrate or Commissioner may think fit to give in regard to the possession or transport of the same.

Amount of
fees.

(2) On receiving a notice under clause (1) of this rule, the said Magistrate or Commissioner may grant, for a term not exceeding three months, a temporary license for the possession or sale of the actual stock of explosives which is held at the time of the issue of such license.

Fees for licenses.

27. The following fees shall be charged for licenses granted under these rules, namely:—

A—Each license granted under rule 14—

- | | |
|---|----------------------------|
| (1) to manufacture, possess and sell the maximum quantity of explosives mentioned in the said rule, or any less quantity exceeding one-half | Twenty rupees; |
| (2) to manufacture, possess and sell half the quantity of explosives mentioned in the said rule, or any less quantity exceeding one-fourth | Ten rupees; |
| (3) to manufacture, possess and sell a fourth of the quantity of explosives mentioned in the said rule, or any less quantity | Five rupees; |
| (4) to possess and sell the maximum quantity of explosives mentioned in the said rule or any less quantity exceeding one-half | Ten rupees; |
| (5) to possess and sell half the quantity of explosives mentioned in the said rule, or any less quantity exceeding one-fourth | Five rupees; |
| (6) to possess and sell a fourth of the quantity of explosives mentioned in the said rule, or any less quantity | Two rupees and eight annas |
| (7) to possess explosives | Eight annas; |

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

Provided that only one-half of the fees prescribed above shall be charged in the case of licenses, in Form D, to manufacture, possess and sell, or to possess and sell fireworks in villages or other rural areas.

B—Each license granted under— rule 15 or rule 19	Such fee as the Governor General in Council may in each case prescribe.
rule 16 or rule 20	Five rupees.
rule 17 or rule 18	Twenty rupees.
C—Each license on renewal	The same fee as that charged for the original license.
E—Each duplicate license granted under rule 25.	Eight annas.
E—Each temporary license granted under rule 26.	A fee bearing the same proportion to the fee charged for the annual license as the period covered by the temporary license bears to a full year.
F—Each new license granted under rule 37.	One rupee

28. Notwithstanding anything contained in rule 27—

(1) the holder of a license duly granted in [Form XIII, or in Form XIV], under [rule 24] of the rules made under the Indian Arms Act, 1878 (XI of 1878), may on production of such license before the District Magistrate or in a Presidency-town or its suburbs or in Rangoon, before the Commissioner of Police, be granted a license under rule 14 of these rules without payment of any fee, and

Exemptions
from pay-
ment of fee.

(2) no fee shall be charged for licenses granted to contractors, makers or other persons under rule 14-A.]

(1) The fees chargeable under these rules shall ordinarily be means of impressed stamps. An application for the grant or payment of the renewal of a license shall bear the proper stamp: provided that if the application is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, *minus* the deductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

* Substituted by Notification No. 7122-9, dated the 30th September, 1911, see *Gazette of India*, 1911, Pt. I, p. 795.

* See now corresponding forms in Indian Arms Rules, 1909, *supra*.

* Substituted by Notification No. 4206-I, dated the 2nd July, 1910, see *Gazette of India*, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

(2) Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

Supplemental provisions.

Regulations to be observed by certain persons who are exempted from taking out a license for manufacture.

30. (1) When any person referred to in sub-clause (c) of clause (2) of rule 10 fills cartridges as indicated in that sub-clause he shall see to the observance of the following regulations, namely:—

- (a) there shall not be in the room in which such filling is being carried on more than five pounds of gunpowder or small-arm nitro-compound or such quantity of any other explosive as is prescribed by the Local Government in this behalf, unless it is made up into safety cartridges;
- (b) no work unconnected with the making of the cartridges shall be carried on the said room while such filling is being carried on;
- (c) there shall not be in the said room, while such filling is being carried on, any fire or any artificial light except a light of such construction, position and character as not to cause any danger of fire or explosion;
- (d) if filling is done on magazine premises the said room shall be detached from the magazine, but shall be situated in the immediate neighbourhood thereof, and shall be situated at such distance therefrom as may be specified on the license by the authority granting the same; and
- (e) the licensee shall give notice to the authority which grants the license that he intends to carry on such filling of cartridges as is allowed by this rule.

(2) When any person referred to in sub-clause (d) of clause (2) of rule 10 adapts or prepares explosives as indicated in that clause he shall see to the observance of the following regulations, namely:—

- (i) there shall not be in the workshop in which such adaptation or preparation is carried on more than one hundred pounds of gunpowder, or such quantity of any other explosive as is prescribed by the Local Government in this behalf;
- (ii) no work unconnected with such adaptation or preparation shall be carried on in the said workshop while such adaptation or preparation is being carried on;
- (iii) the said workshop shall be detached from the magazine or licensed premises, but shall be situated in the immediate

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

neighbourhood thereof, and shall be situated at such distance therefrom as may be specified on the license by the authority granting the same;

- (iv) an explosive of one description shall not be converted into an explosive of another description, and an explosive shall not be unmade or resolved into its ingredients; and
- (v) the licensee shall give notice to the authority which granted his license that he intends to carry on such adaptation or preparation as is allowed by this rule.

31. Any authority granting a license under these rules may, if such authority thinks fit, direct, by an order written on the license, that it shall have the effect of a like license granted by the like authority under the Indian Arms Act, 1878 (XI of 1878). Power to extend effect of license.

32. (1) Any of the officers mentioned in clause (2) of this rule may, within the areas respectively specified in that clause, but subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), and of any rules for the time being in force thereunder, in cases to which that Act applies— Powers of inspection, search, seizure, etc.

- (a) enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed or sold under a license granted under these rules or any prior rules made under the Indian Explosives Act, 1884 (IV of 1884), or in which he has reason to believe that an explosive has been or is being manufactured, possessed or sold in contravention of the said rules or Act;
- (b) search for explosives therein;
- (c) take samples of any explosives found therein, on payment of the value thereof; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.

(2) The officers and areas referred to in clause (1) of this rule are:—

Officers.

The Chief Inspector and Inspector of Explosives.
All District Magistrates.
All Magistrates subordinate to the District Magistrate.

Areas.

In all parts of British India.
Within their respective Districts.
Within the areas respectively subject to their jurisdiction.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

Officers.	Areas.
The Commissioner of Police, and all Police-officers of rank not below that of Inspector, [or if the Local Government so directs, of Sub-Inspector], if specially deputed in this behalf by the Commissioner of Police.	In Presidency-towns and Rangoon.
All Police-officers of rank not below that of Inspector [or if the Local Government so directs, of Sub-Inspector].	Within the respective areas over which their authority extends.

(3) Whenever the Chief Inspector or an Inspector of Explosives, or any Magistrate subordinate to the District Magistrate, or any Police-officer seizes, detains or removes any explosive under this rule, he shall report the fact to the District Magistrate or (in a Presidency-town or its suburbs or in Rangoon), the Commissioner of Police.

(4) Neither the Chief Inspector nor an Inspector of Explosives, nor any Magistrate subordinate to the District Magistrate, nor any Police-officer shall under these rules destroy or otherwise render harmless any explosive without the previous sanction of the District Magistrate or (in a Presidency-town or its suburbs or in Rangoon), the Commissioner of Police, unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owning the explosive or having the same under his control at the time of seizure; and whenever any officer other than the District Magistrate or Commissioner of Police so deals with any explosive, he shall report the circumstances to the District Magistrate or (in a Presidency-town or its suburbs or in Rangoon), the Commissioner of Police.

Production
of license or
authenticated
copy thereof.

33. (1) Every person holding a license, or acting under a license, granted under these rules, shall be bound to produce the same, or an authenticated copy kept at the magazine or place to which the license applies when called upon to do so by any Inspector of Explosives, any Magistrate, any Police-officer in charge of a Police-station, or any Police-officer of higher rank.

(2) Copies of any such license may, for the purposes of this rule, be authenticated free of charge by any of the officers aforesaid or by the authority which granted the license.

¹ Inserted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

34. All Magistrates and other authorities shall, in the exercise of Control over their functions under these rules, be subject to the control of their immediate executive superiors and of the Local Government.

Penalties.

35. Whoever commits any offence mentioned in column 1 of the following table shall be punishable with fine which may extend to the amount mentioned in that behalf in column 2 of that table:—

1	2
Offence.	Fine which may be imposed.
Manufacturing an explosive in contravention of rule 10.	Three thousand rupees
Possessing an explosive in contravention of rule 11.	One thousand rupees.
Selling an explosive in contravention of rule 13.	Five hundred rupees.
Committing a breach of any condition in a license granted under—	
rule 14, [14-A] or rule 20	Five hundred rupees.
rule 10, rule 17, rule 18, or rule 19	One thousand rupees
rule 15	Three thousand rupees
Possessing or transporting an explosive in contravention of any direction given under rule 26, clause (1).	One thousand rupees
Failing to produce a license or an authenticated copy thereof, when called upon to do so under rule 33, clause (1).	Two hundred rupees

36. Every license granted under these rules shall be liable to be forfeited [by the Licensing authority] on breach of any of the conditions contained therein [and also by the Local Government, if the continuance of the license in the hands of the licensee is deemed objectionable].

37. If any person licensed to manufacture, possess or sell an explosive dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty under these rules for carrying on the business of

¹ Inserted by Notification No. 7122 D, dated the 26th September, 1911, see Gazette of India, 1911, Pt. I, p. 730

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

disabled
licensee.

or acting under the license during such reasonable time as may be necessary to admit of his making an application to the authority which granted the license for a new license in his own name during the currency of the unexpired portion of the original license.

SCHEDULE.

FORM A.

(See rule 14.)

[FEE RUPEES IN STAMPS.]

License to manufacture, possess and sell gunpowder, or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class, or (elsewhere than in villages or other rural areas) an explosive of the 7th (Firework) Class.

[Granted in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	Maximum quantity of explosive to be possessed at any one time.	Description and quantity of explosive to be manufactured during the year.	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires.
1	2	3	4	5	6
					The 31st December, 19 .

_____Town or District, }

_____190 . }

Seal

(Signature.)

_____of_____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM A—*contd.*

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives manufactured, of all stock in hand, and of all sales, in such form as the Local Government may from time to time direct.

3. The licensee shall exhibit his stock and his books and records of manufacture and sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. (1) The explosive shall be manufactured in a tent or lightly constructed building exclusively appropriated for the purpose and separated from any dwelling-house, highway, street, public thoroughfare or public place by the distance—

(a) in the case of gunpowder or small-arm nitro-compound, of one hundred yards, or

(b) in the case of an explosive of the 1st division of the 6th (ammunition) class, or of the 7th (fireworks) class, of fifty yards.

(2) In the case of filling cartridges for small-arms the operation may, if preferred, be carried out in the upper room of a building to which the conditions in clause (1) as to distance shall not apply. Provided that no more than five pounds of explosive (except such as may be contained in safety cartridges) shall be in the room where the operation is being carried on.

(3) In all other cases the manufacture shall be carried on in a one-storeyed building.

5. The number of persons employed in manufacture in any one building or room shall not exceed six, and only persons actually manufacturing or superintending manufacture shall be allowed inside the place of manufacture.

6. No iron or steel implements shall be used in manufacture. Only copper, gun-metal or wooden tools are permissible.

7. All explosives, as manufactured, shall be removed without delay to a safe place of storage, and no explosives shall be allowed to accumulate in the place of manufacture.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM A—*contd.*

Conditions—contd.

8. Manufacture shall only be carried on between sunrise and sunset.

9. No smoking or light shall be allowed in or near a room where explosives are being manufactured.

10. All sales of explosives under this license must be effected on the premises shown on the face of the license.

11. An explosive shall not be sold to any child apparently under the age of fourteen years, nor shall any child under that age be employed in manufacture.

12. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the distances prescribed in condition No. 4* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fireproof safe; and

(b) such an excavation must be formed in solid rock, or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fireproof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gun-powder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class, (not containing their

* These distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM A—*contd.*

Conditions—*contd.*

own means of ignition) and made with gun-powder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

13. The maximum quantity of explosives allowed to be kept at the same time shall be the following:—

(1) If the only explosive kept be one or more of the following, namely:—

(a) gunpowder;

(b) small-arm nitro-compound; or

(c) ammunition of the first division of the 6th class,
the maximum shall be—

	In Mode A lbs.	In Mode B. lbs.
gun-powder and small-arm nitro-compound in all	Two hundred.	Fifty
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class	Any quantity	Any quantity.

(2) if the only explosive kept be manufactured fireworks, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
manufactured fireworks	Two hundred.	Fifty

(3) in any other case, the maximum shall be—

	In Mode A lbs.	In Mode B. lbs.
mixed explosives, including gun-powder, small-arm nitro-compound and manu- factured fireworks, etc., in all	Sixty	Fifteen.
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM A—*contd.*

Conditions—contd.

14. With respect to a building or excavation used in Mode A and a receptacle used in Mode B,—

the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive,

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

and all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same;

and no person entering any such room or part of a building or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th (ammunition) class.

15. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosives exceeding one pound in quantity, shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping;

and, when publicly exposed for sale or when sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark:

Provided that two samples of each kind of firework may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM A—*concl.*

Conditions—*concl.*

16. (1) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) Gunpowder, small-arm nitro-compound and safety fuze belonging to the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

17. *The licensee shall affix to his shop or place of business a sign-board as required by [condition 4 (1) endorsed on Form XI or XIII of Schedule VII annexed to the Indian Arms Rules, 1909], and shall post up in his shop a copy of section 28 of that Act.

18. *The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form [XVI and XIX] of the forms prescribed under the Indian Arms Act, 1878 (XI of 1878), the following particulars, namely:—

- (a) the name and address of the person who takes delivery of the articles sold;
- (b) the nature and amount of articles sold; and
- (c) the date of sale;

and shall append his signature to the endorsement.

19. A similar endorsement shall be made upon the license of every purchaser holding a license under the Explosives Act for the possession of explosives.

* These conditions are to be added only when the authority granting this license directs, in pursuance of rule 31, by an order written on the license, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

¹ Substituted by Notification No. 71229, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM B.

(See rule 14.)

[FEE RUPEES IN STAMPS.]

License to possess and sell gunpowder, or small-arm nitro-compound or an explosive of the 1st Division of the 6th (Ammunition) Class or (elsewhere than in villages or other rural areas) an explosive of the 7th (Firework) class.

[Granted in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	Maximum quantity of explosive to be possessed at any one time.	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires.
1	2	3	4	5
				The 31st December, 190 .

_____ Town or District, }

_____ 190 . }



(Signature.)

_____ of _____

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock and of sales, in such form as the Local Government may from time to time direct.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM B—*contd.*

Conditions—*contd.*

3. The licensee shall exhibit his stock and his books and records of sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. All sales of explosives under this license must be effected upon the premises shown on the face of the license.

5. An explosive shall not be sold to any child apparently under the age of fourteen years.

6. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances,* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be securely constructed fire-proof safe; and

(b) such an excavation must be formed in solid rock, or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fireproof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class, (not containing their

* In the case of gunpowder or small-arm nitro-compound, one hundred yards.

or in the case of the 1st division of the 6th (ammunition) class or of the

half when the building is not

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM B—*contd.*

Conditions—contd.

own means of ignition) and made with gun-powder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

7. The maximum quantity of explosives allowed to be kept at the same time shall be the following:—

(1) If the only explosive kept be one or more of the following, namely:—

- (a) gunpowder;
 - (b) small-arm nitro-compound; or
 - (c) ammunition of the first division of the 6th class,
- the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gun-powder and small-arm nitro-compound in all	Fifty.	Two hundred.
and, in addition of explosives contained in ammunition of the 1st division of the 6th class	Any quantity.	Any quantity.

(2) if the only explosive kept be manufactured fireworks, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
manufactured fireworks	Two hundred.	Fifty.

(3) in any other case, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
mixed explosives, including gun-powder in small-arm nitro-compound and manu- factured fireworks, etc., in all	Sixty.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM B—*contd.*

Conditions—*contd.*

8. With respect to a building or excavation used in Mode A and a receptacle used in Mode B,—

the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive;

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

and all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same;

and no person entering any such room or part of a building or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th class.

9. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosives exceeding one pound in quantity, shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping;

and, when publicly exposed for sale or sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark:

Provided that two samples of each kind of firework may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

10. (f) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM B—*concl'd.*

Conditions—*concl'd.*

and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) Gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

11. *The licensee shall affix to his shop or place of business a sign-board as required by ¹[condition 4 (I) endorsed on Form XII or Form XIV of Schedule VII annexed to the Indian Arms Rules, 1909], and shall post up in his shop a copy of section 28 of that Act.

12. *The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form ¹[XVI or XIX] of the forms prescribed under the Indian Arms Act, 1878 (XI of 1878), the following particulars:—

- (a) the name and address of the person who takes delivery of the articles sold;
- (b) the nature and amount of articles sold; and
- (c) the date of sale;

and shall append his signature to the endorsement.

13. A similar endorsement shall be made upon the license of every purchaser holding a license under the Explosives Act for the possession of explosives.

* These conditions are to be added only when the authority granting this license directs, in pursuance of rule 31 by an order written on the license, that his license shall have the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

¹ Substituted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1881 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM C.

(See rule 14.)

[FEE—EIGHT ANNAS IN STAMPS.]

License to possess gun-powder or small-arm nitro-compound, or an explosive of the 1st division of the 6th (Ammunition) class, or (elsewhere than in villages or other rural areas) an explosive of the 7th (Firework) class.

[Granted in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate.]

Name, etc., of licensee and place of residence.	Description and quantity of explosive to be possessed during the year	Place with full details where explosive is to be possessed.	Maximum quantity of explosive to be kept at any one time.	Date on which license expires.
1	2	3	4	5
				The 31st December, 190 .

____ Town or District, }

____ 190 . }

Seal,

(Signature.)

____ of ____

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1881 (IV of 1881), and the rules thereunder.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM C—*contd.*

Conditions—contd.

2. The licensee shall keep records and accounts of all explosives in stock, in such form as the Local Government may from time to time direct.

3. The licensee shall exhibit his stock and his books and records to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fire-proof safe; and

(b) such an excavation must be formed in solid rock, or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fireproof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gun-powder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class, (not containing their

* In the case of gunpowder or small-arm nitro-compound, one hundred yards.

In the case of an explosive of the 1st division of the 6th (ammunition) class or of the 7th (firework) class, fifty yards:

Provided that these distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM C—*contd.*

Conditions—*contd.*

own means of ignition) and made with gun-powder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

5. The maximum quantity of explosives allowed to be kept at the same time shall be the following, namely—

(1) If the only explosive kept be one or more of the following, namely:—

- (a) gunpowder;
- (b) small-arm nitro-compound; or
- (c) ammunition of the first division of the 6th class,
the maximum shall be—

	In Mode A. lbs.	In Mode B., lbs.
gun-powder and small-arm nitro-compound, in all	Two hundred	Fifty.
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class	Any quantity.	Any quantity.

(2) if the only explosive kept be manufactured fireworks, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
manufactured fireworks	Two hundred.	Fifty

(3) in any other case, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
mixed explosives, including gun-powder, small arm nitro-compound and manu- factured fireworks, etc., in all	Sixty	Fifteen
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class	Any quantity	Any quantity:

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM C—*contd.*

Conditions—*contd.*

6. With respect to a building or excavation used in Mode A and a receptacle used in Mode B,—

the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive,

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

and all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same;

and no person entering any such room or part of a building or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th class.

7. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosives exceeding one pound in quantity, shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping.

8. (1) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

(a) Gunpowder, small-arm nitro-compound and safety fuze belonging to the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;

(b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—contd.

FORM C—concl'd.

Conditions—concl'd.

- (c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

8. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely:—

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased, and
- (c) the date of purchase.

FORM D.

(See rule 14.)

[FEE ROUTES IN STAMPS.]

License to manufacture, possess and sell, or to possess and sell, or possess, fireworks in a village or other rural area.

[Granted by the District Magistrate.]

Name, etc., of licensee, and place of residence.	Place of business, factory or shop.	Maximum quantity of fireworks to be possessed at any one time.	Description and quantity of fireworks to be manufactured during the year.	Description and quantity of fireworks to be possessed and sold during the year.	Date on which license expires.
1	2	3	4	5	6
					The 31st December, 190 .

_____ District, }
 _____ 190 . } **Seal.** (Signature.)
 _____ of _____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM D—*concl'd.*

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all fireworks manufactured, of all stock in hand, and of all sales, in such form as the Local Government may from time to time direct.

3. The licensee shall exhibit his stock and his books of manufacture, and sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. Fireworks shall be manufactured in such place only as may be approved by the District Magistrate, due regard being had to the public safety.

5. All sales of fireworks under this license must be effected upon the premises shown on the face of the license.

6. Fireworks shall not be sold to any child apparently under the age of fourteen years, nor shall any child under that age be employed in manufacture.

7. The manufactured fireworks possessed by the licensee must be kept in a building approved by the District Magistrate, due regard being had to the public safety:

Provided that any quantity not exceeding fifty pounds may be kept inside any other building, if placed in a receptacle exclusively appropriated to the keeping of fireworks.

8. *The licensee shall affix to his shop or place of business a sign-board as required by ¹[condition 4 (7) endorsed on Form XI or XII of Schedule VII annexed to the Indian Arms Rules, 1909], and shall post up in his shop a copy of section 28 of that Act.

* This condition is to be added only when the authority granting this license directs in pursuance of rule 31 by an order written on the license, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

¹ Substituted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1881).

Rules for the manufacture, possession and sale of explosives—contd.

FORM E.

¹[(See rule 14-A.)]

¹[FREE OF CHARGE.]

License to possess gunpowder or ¹[or other explosives required] bonâ fide ¹[for blasting purposes].

¹[Granted in a Presidency-town or its suburbs or in Rangoon by the Commissioner of Police, and elsewhere by the District Magistrate. If gunpowder only is to be possessed, the license may be granted by any Magistrate of the 1st class or by a Magistrate of the 2nd class specially authorised by the District Magistrate in this behalf.]

Name, etc., of licensee, and place of residence.	Description and quantity of explosive to be possessed during the year.	Place, with full details, where explosive is to be possessed.	Maximum quantity of explosive (not exceeding 100 lbs. gunpowder and ¹ [10 lbs. of other explosives and 1000 detonators]) to be kept at any one time.	Date on which license expires
1	2	3	4	5
				The 31st of Decem- ber, 1911.

_____ District,

_____ 1911.



(Signature.)

_____ of _____

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1881), and the rules thereunder.

¹ Substituted and altered respectively by Notification No. 42261, dated the 6th July, 1910, see Gazette of India, 1910, Pt. I, p. 573.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM E—*concl'd.*

Conditions—concl'd.

2. The explosive shall be kept in a substantially constructed un-inflammable building approved by such officer as the Local Government may prescribe, or in a fireproof safe separated from any dwelling-house, highway, street, public thoroughfare or public place, by ¹[a distance of 50 yards] and made and closed so as to prevent unauthorised persons from having access thereto, and to secure it from danger from without:

Provided that 50 lbs. of gunpowder * * * ^{*1} may be kept inside a dwelling-house or in any building other than as last aforesaid in a receptacle exclusively appropriated to keeping ¹[explosives].

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any room or part of a building, fireproof safe, or receptacle containing the same, and no person entering such room or part of any building or such safe or receptacle shall have any iron or steel in his possession or attached to or on his boots or shoes.

4. Neither the building exclusively appropriated for the purpose of keeping the explosive, nor the fireproof safe or receptacle referred to above, shall have any exposed iron or steel in the interior thereof:

Provided that this condition shall not be obligatory in a building, fireproof safe, or receptacle in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

¹[5. Gunpowder or other explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosive from escaping.]

¹[6.] The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

- (a) The name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased; and
- (c) the date of purchase.

¹ Repealed, substituted, added and renumbered respectively by Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM F—*concl'd.*

Conditions—concl'd.

¹(2) The doors of the building shall open outwards and shall be faced on the outside with iron plating a quarter of an inch thick. They shall be closed by means of a lock or bolt on the inner side, of such make or design as shall be approved by the licensing authority, and so placed that it shall be inaccessible from the outside except by means of its own key. The lock or bolt shall be made of some metal other than iron or steel.

¹(3) All windows in the building shall be closed by shutters which open outwards, but which cannot be opened from outside. The shutters shall be faced on the outside with iron plating a quarter of an inch thick.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosives and from any building or receptacle containing the same.

4. No building exclusively appropriated for the purpose of keeping the explosives, and no receptacle in which the explosives are kept, shall have any exposed iron or steel in the interior thereof.

5. All explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosive from escaping.

6. Each description of explosive which may lawfully be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

7. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely:—

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased; and
- (c) the date of purchase.

²[8. All losses, shortage of stock or thefts of explosives shall be reported without delay to the nearest police-station.]

¹ Clauses (2) and (3) were substituted for clause (2) of condition 2, by para. 5 of Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

² Added by Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM G.

[See rule 17 (2).]

THE INDIAN EXPLOSIVES ACT, 1884

Form of application for a license for possession of explosives (other than fulminates) in, and sale from, a Magazine.

1. Applicant's name . . .
 " Calling . . .
 " Address . . .

The replies to be written in this column.

NOTE.—In cases where the application is made on behalf of a company, the name, calling and address of the company, and the name of the manager or agents should be given.

2. Situation of the proposed Magazine—

Presidency or Province . . .
 District . . .
 Village . . .

3. Explosive proposed to be stored—

Class . . .
 Division (if any) . . .
 Name and description . . .

NOTE.—The class and division (if any) stated should be in accordance with the classification in the General Rules to regulate the manufacture, possession and sale of explosives.

4. Draft license containing the terms which the applicant proposes to have inserted, and specifying such of the matters stated below as are applicable.

NOTE.—A draft license must be attached to this application, and must be accompanied by a plan of the proposed magazine and of the site, with the boundaries thereof drawn to scale.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM G—*contd.*

The plan should also show the distance from the proposed magazine of the room (if any) to be used in connection therewith for the filling of cartridges for small arms with explosives, in pursuance of rule 30 (1) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives, and of the workshop (if any) to be used in connection therewith for the adaptation or preparation of explosives, in pursuance of rule 30 (2) of the said rules; and, if both a room and workshop are to be used, the distance of the room from the workshop.

The matters referred to above, and required (so far as applicable) to be specified, are as follows :—

(a) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distance to be maintained between the magazine or any part thereof and other buildings and works (for buildings and works here referred to, see 1st column of table of distances appended to these rules); and

(b) the situation, character and construction of all the mounds, buildings and works on or connected with the magazine, and the distances thereof from each other; and

(c) the nature of the work, if any, to be carried on in connection with the magazine and the place at which such work is to be carried on, and the places in the magazine at which explosives, and any articles liable to spontaneous ignition, or inflammable or otherwise dangerous, are to be kept; and

(d) the situation of each building forming part of the magazine in which the explosive is to be kept, and the maximum amount of explosive to be kept in each such building; and

The replies to be written in this column.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM G—*concl'd.*

(c) any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation or construction of any buildings or works, or the nature of any process or otherwise.	<i>The replies to be written in this column.</i>
Remarks	

(Signature of applicant)_____

(Postal address of applicant)_____

(Date of application)_____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—contd.

FORM H.

[See rules 17 (8) and 23 (2).]

THE INDIAN EXPLOSIVES ACT, 1884.

Distances to be kept clear round a Magazine.

Distances from the Magazine
proposed to be established at { Presidency or province _____
District _____
Village _____

To be kept clear* from the undermentioned buildings and works.

Buildings and Works.	Distances to be kept clear, not less than	Reply.	REMARKS.
1	2	3	4
Room used in connection with the magazine, in pursuance of rule 30 (1) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives.	yards.		
Workshop used in connection with the Magazine, in pursuance of rule 30 (2) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives.†	"		
Private railway	"		
Highway or public footpath	"		
Open air public meeting place (such as a market)	"		
Canal or navigable water	"		
Dock	"		
River wall or sea wall	"		
Pier or jetty	"		

* The distances will be required to be kept clear not merely on the first establishment of the magazine, but during the continuance of the license.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

(1) belong to the same occupier, or

(2) are so kept by mutual consent of the respective occupiers.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM II—*concl'd.*

Buildings and Works	Distances to be kept clear, not less than	Reply	REMARKS.
1	2	3	4
Reservoir or bonded tank	yards		
Room or workshop in connection with another magazine, store or registered premises.	"		
Any other room or workshop or any shop	"		
Any other explosive magazine or store for explosives	"		
Furnace, kiln or chimney	"		
Public railway	"		
Dwelling-house, with the consent, in writing, of the occupier.	"		
Dwelling house, without such consent	"		
Factory not belonging to Government	"		
Church, chapel or hospital	"		
Public Institution or building	"		
Government building	"		
Factory or magazine occupied by the Government of India or any Department under that Government with the consent, in writing, of the Government of India or such Department.	"		
<i>Idem</i> without such consent	"		
Viceroyal Residence	miles		

NOTE.—The applicant for the license should state in the third column whether he is able to observe the distances assigned in the second column, or not. In any case where he is unable to observe the full distance assigned, he should state what distance he can observe, and in the column of "Remarks" should set forth the grounds, if any, upon which he relies as justifying such reduction of distance, e.g., whether the magazine will be protected by mounds, or by the natural features of the ground, or otherwise.

(Signature of applicant) _____

(Postal address of applicant) _____

(Date) _____

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM I.

[See rule 17 (9).]

Distances to be kept clear round a magazine.

THE INDIAN EXPLOSIVES ACT, 1884.

*Distances to be maintained between the magazine and other buildings and works:—

From every	Not less than Yards.
Room used in connection with the magazine, in pursuance of rule 30 (1) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives.	
Workshop used in connection with the magazine, in pursuance of rule 30 (2) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives.†	
Private railway	
Highway or public footpath	
Open air public meeting place (such as a market)	
Canal or navigable water	
Dock	
River wall or sea wall	
Pier or jetty	
Reservoir or bunded tank	
Room or workshop in connection with another magazine, store or registered premises	
Any other room or workshop, or any shop	
Any other explosive magazine or store for explosives	

* The distances will be required to be kept clear not merely on the first establishment of the magazines, but during the continuance of the license.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

- (1) belong to the same occupier, or
- (2) are so kept by mutual consent of the respective occupiers.

AND ORDERS.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*FORM .I.—*concl.*

From every	Not less than Yards.
Furnace, kiln or chimney	
Public railway	
Dwelling-house, <i>with</i> the consent, in writing, of the occupier	
Dwelling-house, <i>without</i> such consent	
Factory not belonging to Government	
Church, chapel or hospital	
Public institution or building	
Government building	
Factory or magazine occupied by the Government of India, or any Department under that Government <i>with</i> the consent, in writing, of the Government of India or such Department.	
Ditto, <i>without</i> such consent	
Viceroyal Residence	

In the case of any building or work above-mentioned which is so screened from the magazine by the natural features of the ground or by good and sufficient artificial mounds of earth as not to be visible from any part of such magazine, the distance assigned above as that to be observed between such building or work and the magazine may be reduced by one-half.

In the case of any building or work above-mentioned which is so screened from the magazine by an intervening hill, that a line drawn from any part of such building or work to any part of such magazine would pass through such hill, the distance assigned by this schedule as that to be observed between such building and work and the magazine may be reduced by three-fourths; but if a Government Inspector notifies in writing that in his judgment the intervening hill in respect of which such reduction is claimed, is not of a character to justify such reduction, this clause, authorising such reduction, shall be deemed not to apply in respect of the said building or work.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM J.

[*See rule 17 (14).*]

[**FEE—TWENTY RUPEES IN STAMPS.**]

License to possess explosives other than fulminates in, and to sell explosives from, a magazine.

[Granted by the Local Government or officer appointed by the Local Government in this behalf.]

Name of licensee, and residence.	Boundaries of the land forming the site of the magazine to which the license applies.	Situation, character and construction of the buildings and works connected with the magazine.	Description of explosives to be possessed.	Amount of explosives to be possessed at the same time in the magazine and within the boundaries of the site thereof.	Date on which license expires.
1	2	3	4	5	6
					The 31st December, 190 .

_____ }



(Signature.)

Secretary.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM J—*contd.*

Conditions.

This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock, and of all sales in such form as the Local Government may from time to time direct.

3. There shall not be at the same time in the magazine any quantity of explosives exceeding the quantity specified in the license.

4. The magazine shall be used only for the keeping of the explosives specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of such explosives.

5. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel and the detaching of any grit, iron, steel or similar substances in such manner as to come into contact with the explosives; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean; and, in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom:

Provided that so much of this condition as relates to precautions against the exposure of any iron or steel and the detaching of any grit, iron, steel or similar substances shall not be obligatory in a building in which no explosive other than an explosive of the first division of the 6th (ammunition) class is kept.

6. The magazine shall have attached thereto a sufficient lightning conductor, which shall be tested at least once during the currency of the license (and a certificate showing the result and date of the last test shall be hung up in a conspicuous place within the magazine.)

7. Before repairs are done to any room or magazine or part thereof, the same shall, as far as is practicable, be cleaned by the removal of all explosives or mixed ingredients thereof, and the thorough washing out of such room, magazine or part, and after such cleaning, these conditions shall cease to apply to such room or part of the magazine until any explosive is again taken into it:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the first division of the 6th (ammunition) class is kept.

¹ Added by Notification No. 71229, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 72.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM J—*contd.*

Conditions—contd.

8. Except after such cleaning, all tools and implements used in, or in making any repairs to, any part of the magazine shall be made only of wood, copper or brass or some soft metal or material, or shall be covered with some safe and suitable material:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the 1st division of 6th (ammunition) class is kept.

9. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or otherwise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article likely to cause explosion or fire, or of any grit, iron or steel; but this rule shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion:

Provided that so much of this condition as applies to the exclusion of grit, iron or steel shall not be obligatory in a building in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

10. No person shall smoke in any part of the magazine.

11. No person under the age of fourteen years shall be employed in or enter the magazine, except in the presence and under the supervision of some grown-up person, and no explosive shall be sold to any such person.

12. (1) Two or more descriptions of explosives which may lawfully be possessed in a licensed magazine may be possessed in the same magazine if they are separated from each other by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) the various explosives of classes 1 (gunpowder), 2 (nitrate mixture), 3 (nitro-compound) and 4 (chlorate mixture), safety fuzes belonging to the 1st division of the 6th (ammunition) class and such of the various explosives of the 2nd division of the 6th (ammunition) class as do not contain any exposed iron or steel, may be kept with each other without an intervening partition or space;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1881 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM J—*concl'd.*

Conditions—*concl'd.*

- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) such of the various explosives of the 2nd division of the 6th (ammunition) class as contain any exposed iron or steel may be kept with each other without any intervening partition or space;
- (d) the various explosives of the 3rd division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (e) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

(3) Save as aforesaid, two or more descriptions of explosives shall not be kept in the same magazine.

13. The licensee, and every person employed in or about the magazine, shall take all due precaution for the prevention of accidents by fire or explosion in the magazine, and for preventing unauthorised persons from having access to the magazine or to the explosives therein, and shall abstain from any act whatever which tends to cause fire or explosion and is not reasonably necessary for the purpose of the work in such magazine.

14. (1) Blasting gelatine or any of its kindred gelatinous nitro-compounds shall not be kept in the magazine after the expiration of three years from the date of its or their importation into British India, except with the special sanction of an Inspector of Explosives.

(2) When such sanction has been given, a written certificate, showing the period covered by the sanction, must be obtained from an Inspector of Explosives at each inspection, and must be kept by the licensee at the magazine.

[15. The licensee shall, at his own expense, provide for the safe custody of the magazine a guard which shall be of such strength as the District Magistrate or the Commissioner of Police, as the case may be, may consider to be sufficient.]

[16. All losses, shortage of stock or thefts of explosives shall be reported without delay to the nearest police-station.]

¹ Conditions 15 and 16 were added by Notification No. 4261, dated the 26th July, 1910, see Gazette of India, 1910, Pt. I, p. 573.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM K.

(See rule 18.)

[FEE—TWENTY RUPEES IN STAMPS.]

License to possess explosives (other than fulminates) in a floating magazine.

[Granted by the Local Government.]

Name of licensee, and residence.	Description of limits within which the magazine shall be moored or anchored.	Situation, character and construction of the magazine.	Description of explosives to be possessed.	Amount of explosive to be possessed at the same time in the magazine.	Date on which license expires.
1	2	3	4	5	6

 _____ 190 . }



(Signature.)

Secretary.

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN EXPLOSIVES ACT, 1881 (IV OF 1881).****Rules for the manufacture, possession and sale of explosives—*contd.*****FORM K—*contd.******Conditions—contd.***

2. The whole vessel, barge or craft in or on board which the explosives are stored shall be deemed to constitute the magazine.

3. The magazine shall be used only for the keeping of such explosives as may be specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of such explosives.

4. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel in such manner, and the detaching of any grit, iron, steel or similar substance in such manner as to come into contact with the explosives in such magazine; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean.

5. The magazine shall have attached thereto a sufficient lightning conductor, which shall be tested previous to the storage of explosives.

6. No charcoal, whether ground or otherwise, oiled cotton, oiled rags or oiled waste, and no article whatever which is liable to spontaneous ignition, shall be taken into the magazine.

7. Before repairs are done to, or in any part of, the magazine, it shall, so far as practicable, be cleaned by the removal of all explosives, and by a thorough washing out. After being so cleaned, it shall not be deemed to be a magazine until explosives are again taken into it.

8. There shall be constantly kept in the magazine, affixed in such manner as to be easily read, a copy of the license, and of any special rules that may be issued from time to time for the keeping of explosives in a floating magazine.

9. All tools and implements used in any repairs to or in any part of the magazine shall be made only of wood or copper or brass or some soft metal or material, or shall be covered with some safe and suitable material.

10. No fires, lights or lucifer matches, and no substance or article which is likely to cause explosion or fire, shall be permitted to be at any time in the magazine.

11. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or otherwise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article which is likely to cause explosion or fire; and for preventing the introduction of any grit, iron or steel, into any part of the magazine where it would be likely to come into contact with explosive; and in any part of the magazine in which any explosive is kept which is liable to be dangerously

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM K—*contd.*

Conditions—contd.

affected by water, due precautions shall be taken to exclude water from such part; but this condition shall not prevent the introduction of an artificial light of such construction, position, or character as not to cause any danger of fire or explosion; and so much of this condition as relates to the exclusion of grit, iron or steel shall not be obligatory in the case of a magazine in which no explosive other than explosives of the 1st division of the 6th (ammunition) class is kept.

12. No person shall smoke in any part of the magazine.

13. (1) The licensee shall not employ any vessel, barge or craft to carry an explosive to or from the magazine unless the cabin, hold or other part of the vessel, barge or craft to which the explosive is or is to be carried—

- (a) is constructed without any exposed iron or steel in the interior thereof,
- (b) contains only explosives, and
- (c) is closed or otherwise properly covered over:

Provided that clause (a) shall not apply in the case of any vessel, barge or craft which carries no explosive other than explosives of the 1st division of the 6th (ammunition) class, or which is specially exempted by an order of the Chief Inspector of Explosives, or by an order of the Local Government endorsed on this license.

(2) The licensee shall see that the explosives to be placed on any vessel, barge or craft so employed are loaded, carried and unloaded with all due diligence and with such precautions and in such manner as will sufficiently guard against any accidental ignition.

14. The licensee shall see—

- (a) that no fire, unprotected light or smoking is allowed while any explosive [other than explosives of the 1st division of the 6th (ammunition) class] is being received or delivered, or while the hatches or door of the magazine, or the hatches or coverings of any vessel, barge or craft alongside containing any such explosive, are open; and
- (b) that no receipt or delivery of explosive is carried on, and that the hatches or door of the magazine are or is kept closed, when any vessel, barge or craft having on board a fire (other than engine-fires properly banked up) or an unprotected light is alongside a magazine containing an explosive other than explosives of the 1st division of the 6th (ammunition) class, or in its immediate vicinity.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM K—*concl'd.*

Conditions—concl'd.

15. A person under the age of fourteen years shall not be employed in or enter the magazine except in the presence and under the supervision of some grown-up person.

16. In the case of the magazine being approachable at low water by carriages, the words "vessel, barge, or craft," in Nos. 13 and 14 of these conditions, shall be taken to include a carriage.

17. (1) Two or more descriptions of explosives, which may lawfully be possessed in a licensed magazine, may be possessed in the same magazine, if they are separated from each other by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in one compartment from extending to another compartment:

(2) Provided as follows:—

- (a) the various explosives of classes 1 (gunpowder), 2 (nitrate mixture), 3 (nitro-compound) and 4 (chlorate mixture), safety fuzes belonging to the 1st division of the 6th (ammunition) class, and such of the various explosives of the 2nd division of the 6th (ammunition) class as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) such of the various explosives of the 2nd division of the 6th (ammunition) class as contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (d) the various explosives of the 3rd division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (e) the various explosive of the 7th (firework) class may be kept with each other without any intervening partition or space;

(3) Save as aforesaid, two or more descriptions of explosive shall not be kept in the same magazine.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules for the manufacture, possession and sale of explosives—*contd.*

FORM L.

(*See rule 20.*)

[FEE—FIVE RUPEES IN STAMPS.]

License to sell explosives.

[Granted in a Presidency-town or its suburbs or in Rangoon, by the Commissioner of Police, and elsewhere, by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business or shop.	Description of explosive to be sold.	Date on which license expires.
1	2	3	4
			The 31st December, 190 .

_____ Town or District, }
 _____ 190 .



(Signature.)

_____ of _____

Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock, and of all sales, in such form as the Local Government may, from time to time, direct.

3. Explosives shall not be sold to any child apparently under the age of fourteen years.

4. All explosives exceeding one pound in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosive from escaping; and the outermost receptacle containing such explosives shall have affixed the name of the explosives, with the word "explosive" added thereto in conspicuous characters by means of a brand or securely attached label or other mark.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

- (ii) any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound; and

(b) Division 2, comprising—

(i) such explosives as

Amberite No. 2,
Ammonite,
Bellite,
Coopal's powder,
Cotton gunpowder,
E. C. powder,
Gun-cotton ordinarily so-called,

Nitrated gun-cotton,
Picrates,
Pieric powder,
Roburite,
Sawdust and gun-cotton powder,
Schultz's powder, and
Tonite (or cotton powder), and

- (ii) any nitro-compound as hereinbefore defined which is not comprised in Division 1.

5. (1) The expression "chlorate-mixture" as used in these rules, means any explosive containing a chlorate.

Definition and sub-division of "chlorate-mixture" (class 4).

- (2) Chlorate-mixture shall, for the purposes of these rules, be subdivided as follows, namely:

(a) Division 1, comprising—

(i) such explosives as—

Horsley's blasting powder, and
Brain's blasting powder, and

- (ii) any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising—

(i) such explosives as—

Horsley's original blasting powder,
Erhardt's powder,
Reveley's powder,

Hochtadter's blasting charges,
Reichen's blasting charges,
Teutonite, and

Chlorated gun-cotton, and

- (ii) any chlorate-mixture as hereinbefore defined which is not comprised in Division I.

6. (1) The expression "fulminate" as used in these rules, means

any chemical compound or mechanical mixture whether included in any of the foregoing definitions or not, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and impertation of explosives—*contd.*

any other appliances for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

(2) Fulminate shall, for the purposes of these rules, be sub-divided as follows, namely:—

- (a) Division 1, comprising such compounds as the fulminates of silver and of mercury and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorous, or certain descriptions of compounds of phosphorous, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and
- (b) Division 2, comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

7. (1) The expression "ammunition," as used in these rules, means any explosive included in any of the foregoing definitions, when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared so as to form—

Definition of "ammunition," "percussion-cap," "detonator," "safety-fuze," and "safety cartridge," and sub-division of "ammunition" (class G).

- (a) a cartridge or charge for small-arms, cannon, or any other weapon, or for blasting, or
- (b) a safety or other fuze for blasting or for shells, or
- (c) a tube for firing explosives, or
- (d) a percussion-cap, a detonator, a fog signal, a shell, a torpedo, a war-rocket, or any other contrivance other than a fire-work.

(2) The expression "percussion-cap," as used in these rules, does not include a detonator.

(3) The expression "detonator," as used in these rules, means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(4) The expression "safety-fuze," as used in these rules, means a fuze for blasting which burns and does not explode, and which does not

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SALT ACT, 1882 (XII of 1882).

Rules to regulate the transport and importation of explosives—*contd.*

contain its own means of ignition, and which is of such strength and construction, and contains an explosive in such quantity, that the burning of such fuze would not communicate laterally with other like fuzes.

(5) The expression “safety cartridge,” as used in these rules,—

- (i) means a cartridge for small-arms, the case of which can be extracted from the small-arm after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and
- (ii) includes a rifle-calibre machine-gun cartridge, if it is as described in clause (i) whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (ii) does not exceed one inch.

(6) Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:

(a) Division 1, comprising exclusively—

Safety cartridges,	Railway fog-signals, and
Safety-fuzes for blasting,	Percussion-caps; and

(b) Division 2, comprising any ammunition, as hereinbefore defined, which does not contain its own means of ignition and is not included in Division 1, such as—

Cartridges for small-arms, other than safety cartridges,
 Cartridges and charges for cannon, shells, mines, blasting or other like purposes,
 Shells and torpedoes containing any explosive,
 Fuzes for blasting, other than safety-fuzes,
 Fuzes for shells,
 Tubes for firing explosives, and
 War-rockets,

which do not contain their own means of ignition; and

(c) Division 3, comprising any ammunition as hereinbefore defined, which contains its own means of ignition and is not included in Division 1, such as—

Detonators,
 Cartridges for small-arms, which are not safety cartridges,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1881 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Fuzes for blasting, which are not safety-fuzes,
Fuzes for shells, and
Tubes for firing explosives,

containing their own means of ignition.

Explanation.—The expression "ammunition containing its own means of ignition" means ammunition having an arrangement, whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

8. Fireworks shall, for the purposes of these rules, be sub-divided

Sub-division of "fire" as follows, namely:
"work" (class 7).

(1) Division 1, comprising firework compositions, that is to say,—

(a) any chemical compound or mechanically mixed preparation of an explosive or inflammable nature, which is used for the purpose of making manufactured fireworks, and is not included in any of the foregoing definitions,

(b) any star, and

(c) (except as declared in the proviso to this rule) any coloured fire composition; and

(2) Division 2, comprising manufactured fireworks, that is to say, any explosive of class 1, 2, 3, 4, ¹ or 6 and any firework composition, when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker, toy cap or amorce, serpent, rocket (other than a war-rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals:

Provided that a substantially constructed and hermetically closed metal case containing not more than 1 lb. of coloured fire composition of such a nature as not to be liable to spontaneous ignition shall be deemed to be a "manufactured firework" and not a "firework composition."

TRANSPORT.

8A. (1) Explosives required for blasting purposes shall not be transported by holders of licenses granted in Form F, Form J or K, contained in the Schedule to the rules for the manufacture, possession and sale of explosives, published

¹ The figure "5" was deleted by Notification No. 4296-L, dated the 9th July, 1910. see Gazette of India, 1910, Pt. I, p. 573.

² Rules 8A and 8B were added by Notification No. 4296-L, dated the 9th July, 1910. see Gazette of India, 1910, Pt. I, p. 573.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and Importation of explosives—*contd.*

with the notification of the Government of India in the Department of Commerce and Industry, No. 9045-8, dated the 29th November 1906, except under and in accordance with the conditions of a license to transport the same.

(2) The following general rules shall be observed with respect to the grant of such licenses:—

- I. Any such person may be granted a license for the general transport of explosives required for blasting purposes for any term not exceeding one year. The license shall be issued free of charge and shall be in Form II appended to these rules.
 - II. A license under Rule I shall be granted in a Presidency-town or its suburbs or in Rangoon by the Commissioner of Police, and in any other place by the Magistrate of the District.
 - III. Every person who wishes to obtain a license under rule I shall apply in writing to the authority empowered to grant such license, and shall furnish particulars as to the place from which, and the place or places to which, he desires to transport explosives.
 - IV. When the place or places to which explosives are to be transported are outside the local limits of the authority of the officer granting the license, a copy of the license shall be forthwith sent—
 - (a) When the transport of explosives is authorised to a Presidency-town or to Rangoon, to the Commissioner of Police;
 - (b) when the transport of explosives is authorised to any other place, to the Magistrate of the District in which such place is situated.
 - V. The license shall entitle the licensee to issue passes for the transport of explosives required for blasting purposes from the place from which the explosives are to be transported as entered in the license, to any place or places to which the explosives may be transported as entered in the license, subject to the conditions mentioned in the license.
 - VI. The pass issued under Rule V shall accompany each consignment of explosives transported.
- In the case of explosives transported by rail, the pass shall be attached to the way-bill or invoice, as the case may be.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

VII. A copy of every pass issued under Rule V shall be forthwith sent to the licensing authority, and in cases where the explosives are being transported to a place beyond the local limits of the authority of the officer who has granted the license to the Magistrate of the district in which such place is situated, or if such place be in a Presidency-town or Rangoon, to the Commissioner of Police.

(3) The holder of a license in Form E of the rules for the possession of explosives shall not be required to take out a separate license for the transport of gunpowder or other explosives covered by such license.

18B. Whoever transports an explosive required for blasting purposes in contravention of the foregoing rules or commits a breach of any condition subject to which such transport is permitted shall be punishable with a fine which may extend to one thousand rupees.

9. The following general rules shall be observed with respect to the packing of explosives for conveyance.—

(1) Unless the context otherwise requires,—

the expression "outer package" means a box, barrel, case or cylinder, of wood, metal or other solid material, of such strength, construction and character that it will not be broken or accidentally opened, nor become defective or insecure whilst being conveyed, and will not allow any explosive to escape;

the expression "inner package" means a substantial case, bag, canister or other receptacle, made and closed so as to prevent any explosive from escaping;

the expression "authorized explosive" means exclusively an explosive included in a List of Authorized Explosives prepared by the Chief Inspector of Explosives with the Government of India, and published annually in the *Gazette of India*, and in force for the time being;

the expression "propellant" means an authorized explosive of class 3, adapted and intended exclusively for use as a propelling charge in cannon or small-arms; and the expression "special authority" means a written authority granted by the Chief Inspector of Explosives, to which may be attached such conditions as may, in the opinion of the Chief Inspector of Explosives, be necessary to meet the special requirements of the case.

¹ See second footnote on p. 671, *supra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

(2) The interior of every package shall be free from grit and otherwise clean.

(3) Save as hereinafter provided, there shall not be any iron or steel in the construction of any package unless the same is covered with suitable material so as effectually to prevent the exposure of such iron or steel.

(4) Every package when actually used for the packing of one explosive shall not be used for the packing of any other explosive or any other article or substance:

Provided that this rule shall not prevent the packing of inner packages containing a propellant in an outer package with inner packages containing gunpowder or another propellant:

Provided also that this rule shall not prevent the packing of any article which is not of an inflammable or explosive nature, or liable to cause fire or explosion, in the same package as an explosive of the 1st Division of the 6th (ammunition) class.

(5) Subject to the foregoing provisions, the following shall be the method of packing authorized explosives of various classes, respectively, and the maximum amounts which may be in any one package:—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Class 1	When the quantity in any one consignment does not exceed 5 lbs. in amount, a single outer package; otherwise— A double package, the inner and outer packages being as above defined.	100 lbs. Propellant that where gunpowder and propellant are packed together the amount shall not exceed— 50 lbs. 50 lbs. 50 lbs.	100 lbs. Propellant that where gunpowder and propellant are packed together the amount shall not exceed— 25 lbs. 25 lbs. 25 lbs.
Class 2 Class 3, Division 1, other than propellants.	As for Class 1	50 lbs. 50 lbs.	50 lbs. 50 lbs.
Class 3, Division 1, Propellants.	As for Class 1	50 lbs. 50 lbs.	50 lbs. 50 lbs.
Class 2, Division 2, other than Nitro Acid and Wet Gunpowder.	As for Class 1	Unlimited Unlimited	Unlimited Unlimited
Class 4 Class 5	As for Class 1 As for Class 1, provided that the inner or outer package, or both of them, shall be of such a nature, and so closed, as to prevent any material loss of moisture during conveyance. As for Class 1 Packed in water. A triple package, the innermost package being in a bag permeable to water, enclosed in a case containing sufficient water to ensure the explosive being kept constantly wet; and the outer package containing sufficient water constantly to surround the case. Both the case and the outer package shall be of such construction as will not allow water to seep in. If the explosive is of such character that it cannot be packed in a thoroughly wet condition, it shall be packed in accordance with conditions set forth in a special authority.	50 lbs. 200 lbs. Unlimited Unlimited	50 lbs. 25 lbs. Unlimited Unlimited
Class 4, Division 1, other than the fire cartridges for pistols.	A single outer package: Provided that the above general rule (3) shall not apply to explosives of this Division. Provided also that ballist cartridge of a calibre exceeding 0.5 inch and belonging to this Division	Unlimited	...

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Pin-fire cartridges for pistols .	shall be packed in such a manner that the point of any bullet cannot come in contact with the cap of another cartridge. (a) Not exceeding 50 in number in any one consignment:—So packed in a single package that the bases lie alternately in opposite directions. The bases and pins shall be so fitted into perforations in millboard or other suitable material as to prevent the firing of any one of the said cartridges by an explosion in any other of the said cartridges. (b) Exceeding 50 in number:—In an inner and outer package, the cartridges being packed in inner packages with millboard as above required.	50 in number .	.....
Class 6, Division 2	Explosives made up into cartridges or charges for cannon, shells, torpedoes, mines, blasting or other like purposes, shall be packed in such manner and such quantity as is required for the same explosive when not so made up; provided that, where a double package is required, the enclosing case of such cartridges or charges may, if it satisfies the conditions required for an inner package, be held to be such inner package. Other ammunition of this Division:—A single outer package.	2,500 in number .	50 in number. .
Class 6, Division 3, other than Detonators and Electric Detonators.	As for class 1 Provided that bullet cartridges of a calibre exceeding 0.5 inch and belonging to this Division shall be packed in a such manner that the point of any bullet cannot come in contact with the cap of another cartridge. (a) Not exceeding 1,000 in any one consignment:—As for class 1, provided that the detonators and the spaces between the same and between the sides of	100 lbs.	.....
Detonators		50 lbs.	2 lbs. or 10 in number, whichever be the greater.
		1,000 in number .	1,000 in number.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

<p>the inner package and the said detonators shall all be filled, as far as practicable, with fine sawdust or other similar material; a layer of felt or other soft yielding material shall be placed between both ends of all the detonators and the interior of the inner package in which the same are placed, in such manner and so secured, that both ends of the detonators will rest upon the said soft material or other material; every inner package, if of metal, to be lined throughout with paper or other soft material; and</p>	10,000 in number	100 in number.
(2) Exceeding 1,000 detonators:		
<p>The detonators shall be packed in inner packages, with sawdust and cotton-wool as above described. Such inner packages shall be placed inside a substantial case of wood or metal made and closed so as to prevent any of the inner packages escaping therefrom, and such case shall be placed inside an outer package in such manner and so secured as to leave a clear space of not less than three inches between the case and every part of the interior of the said outer package, and, withstanding that such clear space may, if preferred, be filled with sawdust, straw or other similar material, or may contain a light framework or lattice of wood to keep the case afloat in position in the outer package; and</p>	5,000 in number	100 in number.
<p>(3) Where the number of detonators exceeds 5,000 such outer package shall be provided with handles or other contrivance by means of which it can be safely and conveniently carried.</p>	20 lbs.	1 lb.
<p>As in Class 2, provided that where the number in any outer package exceeds 500, such outer package shall be provided with handles or other contrivance, by means of which it can be safely and conveniently carried.</p>	300 lbs.	.....
<p>Double package, the inner package being hermetically closed, and contained in an outer package as above defined.</p>		
<p>Single outer package, provided that the above General rule (2) shall not apply to explosives of this Division.</p>		
Electric Detonators.		
Class 7, Division 1.		
Class 7, Division 2.		

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

(6) Nothing in this rule shall be deemed to prohibit the use of an additional package, whether inner or outer, provided that such additional package shall not be of such character as shall have been prohibited in writing by the Chief Inspector of Explosives.

(7) An explosive which is not an authorized explosive shall be packed in such manner as may be directed by a special authority with reference to such explosive.

(8) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," the name of the explosive, the number of the class and division to which it belongs, and the name of the manufacturer or sender.

In the case of explosives of classes 3 and 4, there shall be added the date of manufacture or issue from the factory, or such sign indicating such date as may be approved by the Chief Inspector of Explosives:

Provided first that in the case of cartridges or charges for cannon, shells, mines, blasting or other like purpose, which do not contain their own means of ignition, the marking shall be as for the explosive when not so made up.

Provided secondly, that in the case of explosives of class 6, Division 1 (Safety Fuzes excepted), there shall be added the words "Not liable to explode in bulk."

Provided thirdly, that in the case of Pin-fire cartridges for pistols there shall be added the word "Pin-fire cartridges."

Provided fourthly, that in the case of Safety Fuzes or Gunpowder the word "Explosive" and the number of the class and division may be omitted; and

Provided fifthly, that where an outer package contains more than one explosive, the marking above required shall be affixed separately in respect of each explosive so contained.

(9) To meet special cases exemption may be granted by special authority from the observance of any one or more of the conditions imposed by this rule.

10. Whoever commits a breach of any of the foregoing rules relating to the packing of explosives for conveyance shall be punishable with fine which may extend to Rs. 1,000.

Penalty.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1881 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

11. The following general rules shall be observed with respect to the conveyance of explosives:—

I.—No explosive shall be conveyed from place to place unless packed in the manner provided for in the foregoing rules.

II.—There shall not be conveyed in any carriage or vessel which is being used for the conveyance of an explosive, any explosive of a different class and division, of whatsoever nature, which contain its own means of ignition, unless it is sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

III.—Except in the case of small consignments carried by railway which may be unloaded at any time, explosives shall be loaded or unloaded only between sunrise and sunset. For the purposes of this rule no consignment of more than half a wagon-load booked to one station shall be deemed to be a small consignment.

IV.—Whilst the explosive is being loaded on or unloaded out of any carriage or vessel, no fire or artificial light, or any article which is liable to cause or communicate fire or explosion [such as charcoal, lucifer-matches, articles for striking a light, petroleum to which the Indian Petroleum Act, 1899 (VIII of 1899), or any other Act for the time being in force regarding the importation, possession, and transport of petroleum, applies, or any spirit or oil or substance that gives forth an inflammable vapour at a temperature below 100° Fahrenheit] shall be, or shall be allowed to be, brought, had or used dangerously near to such carriage, ship, or boat, and no smoking shall be allowed in, on, or dangerously near to, the same:

Provided that when the use of a light for the purposes of such loading or unloading is unavoidable, a lamp of such construction, position, or character as not to cause any danger from fire or explosion may be used; and no person, while handling any explosive (except an explosive of Division I, class G, if packed in accordance with the packing rules), shall wear boots or shoes with iron or steel nails, heels or tips.

V.—In the loading or unloading of any explosive, the casks and packages containing the same shall be passed from hand to hand and not rolled upon the ground; they shall not be thrown or dropped down, but shall be carefully deposited and stowed.

VI.—The explosive shall not be conveyed except in the interior of a carriage so enclosed on all sides with wood or metal, or in the hold of a ship or boat having a close deck so closed, as effectually to protect the explosive against accident by fire from without. If the explosive cannot be so secured it shall be completely covered with painted

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

cloth, tarpaulin, or other suitable material so as to effectually protect it against communication of fire.

VII.—There shall not be any iron or steel in the interior of the portion of the carriage or vessel with which the case containing the explosive is or may come in contact, unless the same is effectually covered with leather, wood, cloth, or other suitable material.

VIII.—In the stowing of the explosive, due precautions shall be taken by means of a partition or otherwise and by careful stowing to secure explosive from being brought into contact with, or endangered by, any other article or substance conveyed in such carriage or vessel which is liable to cause fire or explosion; and if the explosion is dangerously affected by water, due precautions shall be taken to exclude water from coming into contact with such explosive.

IX.—The amount of the explosives conveyed in any one carriage or vessel at any one time shall not exceed 2,000 lbs. unless the carriage be so enclosed on all sides with wood or metal; or the vessel have a close deck so closed, as effectually to protect the explosive against accident by fire from without, in which case the amount of the explosive conveyed shall not exceed the following:—*

	Tons.
In any one carriage on a railway	10
In any one other carriage	2
In any one vessel	20

* NOTE.—This rule shall, in the case of dynamite conveyed by railway, be read subject to paragraph XII of Rule 13.

X.—Nothing in the foregoing rules (except Rule 1) shall apply to any explosive of the 1st Division of the 6th (ammunition) class:

Provided that all due precautions are taken for the prevention of accidents.

12. The following rules shall be observed with respect to the
Conveyance otherwise conveyance of explosives otherwise than by
than by railway. railway:—

I.—No explosive shall be conveyed in a carriage or boat whilst carrying or plying for public passengers, unless the quantity is less than 5 lbs. and notice has been given beforehand to the person in charge of such carriage or boat; and all due precautions are taken for the prevention of accidents by fire or explosion:

Provided that there shall not be conveyed in any such carriage or boat any explosive of the 5th (fulminate) class or any explosive of the 3rd Division of the 6th (ammunition) class, or of the 1st Division of the

Part II.—General Rules, and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

7th (firework) class, except detonators packed according to Rule 9 to the number of 200.

Provided that the amount of explosive of the 5th (fulminate) class in the detonators shall in no case exceed in the aggregate 3 oz. (a certificate to this effect being given by the agent of the company by whom the detonators are tendered for transport).

Provided also that no other explosive is carried in the same compartment.

II.—With respect to the conveyance by carriage or vessel of explosives of the 5th (fulminate) class, or of the 3rd Division of the 6th (ammunition) class, or of the 1st Division of the 7th (firework) class, or of larger quantities than 5 lbs. of any other explosive, the following regulations shall be observed:—

- (1) The person in charge of the carriage or vessel shall not drive or conduct the same in a dangerous or reckless manner, and shall take all due precautions to avoid fire and explosion, and no person shall do any act or thing in relation to the explosive which tends to cause fire or explosion, and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance; and a person who is intoxicated shall not have charge of any carriage or vessel conveying explosive, and shall not be permitted to be in, or on, or attending the same.
- (2) A person shall not forward to any warehouseman or carrier a consignment of explosive, unless he has given notice to such warehouseman or carrier beforehand, stating the name and quantity of the explosive proposed to be conveyed, and the name and address of the proposed consignee, and has had an intimation that the warehouseman or carrier is prepared to receive the consignment, and a warehouseman or carrier shall not make such an intimation, nor receive such consignment, unless he is prepared to receive it, and forthwith to despatch the same, or to deposit it in a magazine or at a place at which a person is licensed to possess the same.
- (3) The carriage or vessel conveying the explosive shall be in charge of, and constantly attended by, some competent person, or by a sufficient number of competent persons, and such persons shall not, if the amount of the explosive conveyed exceed 100 lbs., stop or delay for a longer time than may be reasonably necessary, or stop unnecessarily at any place where such stopping would be attended with special public danger.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

III.—No explosive belonging to class 1 (gunpowder class), class 2 (nitrate-mixture class), class 3 (nitro-compound class), class 4 (chlorate-mixture class) or class 5 (fulminate class), shall be carried otherwise than by rail, across any railway bridge over which reasonable facilities for the conveyance thereof by rail are afforded by the Railway Administration:

Provided that this prohibition shall not apply in respect of quantities of explosives of class 1 (gunpowder class) or class 3 (nitro-compound class) not exceeding 5 lbs. in weight.

13. The following rules shall be observed with respect to the Conveyance by public conveyance of explosives by public railways:—

I.—No person shall send for carriage upon any railway any consignment of an explosive, unless he has given to the officer in charge of the railway station previous notice in writing which, at the option of the Railway Administration, may extend to 48 hours, of his intention to send such consignment, and stating the true name, description, quantity, and mode of packing of the explosive proposed to be conveyed, and his own name and address, and also the name and address of the proposed consignee, and unless he has had an intimation in writing from an authorized officer of the railway that such consignment will be received.

II.—No explosive which a Railway Administration shall, by any notice or regulation for the time being in force, notify that they will not receive, shall be brought, sent, or forwarded to or upon any railway of the said Railway Administration.

III.—Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants only at such times, between sunrise and sunset, as the Railway Administration may appoint; and every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station.

All gunpowder under despatch or receipt by a Government arsenal, dépôt, or factory, shall be loaded or unloaded in the railway vans by Government servants employed in such arsenal, dépôt, or factory. In each van used by the railway for the transport of gunpowder the packages of gunpowder shall be secured in such a way as to prevent concussion when the train is in motion.

IV.—An explosive shall be removed by the consignee from the receiving station during the twelve hours of daylight after arrival: if this condition is not strictly complied with, the Railway Administration may return the consignment to the consignor at his risk and expense. And

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

such packages shall in the meanwhile be kept as far away from the station buildings as possible, in the wagon they were conveyed in, or, if unloaded, shall be completely covered with tarpaulins or other suitable material, and, if necessary, shall be protected by a police guard.

V.—The Railway Administration may refuse to receive any packages which they suspect to contain any explosive packed or sent in contravention of these regulations. And in case any package, which the Railway Administration suspect, shall be upon any railway, the Railway Administration may open, or require to be opened, such package, to ascertain the fact, at the risk and expense of the consignor, and may return the explosive contained in the package to the consignor at his risk and expense, keeping the packages, pending such return, in the manner prescribed in the preceding rule.

VI.—Subject to the exception provided for in clause (e), no explosive shall be conveyed by passenger train except of the kinds and in the manner hereinafter specified in this rule:

- (a) Safety cartridges and percussion-caps and safety-fuzes (for blasting), also fog-signals for railway use which may be conveyed in ordinary wagons or carriages.
- (b) Explosives of the 3rd (nitro-compound) class which may be carried in the form of cartridges up to the limit of 5 lbs.:

Provided that no detonators are carried in the same compartment.

- (c) Detonators packed according to Rule 9 may be carried to the number of 200:

Provided that in no case the amount of fulminate of mercury in the package or packages containing the detonators exceeds in the aggregate 3 oz. (a certificate to this effect being given by the company, firm, or person tendering the detonators for transport or by its or his agent):

Provided also that no other explosive is carried in the same compartment.

- (d) Sporting gunpowder or non-safety cartridges packed in double cases as before provided, so long as the gunpowder is contained in one-pound tin canisters packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Railway Administration. But no outer case shall contain more than 25 lbs. of gunpowder, and the total consignment

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

of gunpowder or non-safety cartridges by one train shall not exceed 80 lbs.

- (c) Explosives may be carried by mixed trains on any line on which goods trains are not running subject to the conditions that they are loaded in properly constructed powder vans; that not more than one powder van containing explosives is forwarded at any one time by a mixed train; that there are not less than three vehicles between the powder van and either the engine or the passenger coaches; that the powder van is close coupled to the adjoining vehicles; and that directly a powder van containing explosives arrives at a section on which goods trains are running, it is detached from the mixed train.

VII.—Not more than five carriages containing explosives shall be loaded or unloaded at any railway station or be conveyed by any one train at any one time; and the quantity of explosive to be contained in any one carriage shall not exceed two-thirds of the normal load, unless the carriages shall be specially built and approved by the Railway Board for the conveyance of explosives. But nothing in this clause shall be held to apply to separate consignments of safety cartridges for small-arms.

VIII.—There shall not be conveyed in the same carriage with any explosive any lucifer or other matches, fuzes, pipelights, acids, naphtha, paraffine, petroleum to which the Indian Petroleum Act, 1899 (VIII of 1899), or any other Act for the time being in force regarding the importation, possession, and transport of petroleum applies, or any other volatile spirit substance liable to give off an inflammable vapour or liable to spontaneous ignition, or, to cause or communicate fire or explosion.

IX.—The consignor shall attach to the consignment note a certificate, or (provided the original is produced for verification) copy of a certificate¹ [signed by the Chief Inspector of Explosives or an Inspector of Explosives] that the explosive, if it is an explosive of class 3 or 4, is of the standard purity; and further in the case of dynamite, and all nitro-glycerine compounds, that there are no signs of exuded nitro-glycerine or of liquefaction. The consignor shall also certify that the explosive has been packed in accordance with the packing rules in force in England or in British India.

X.—In the case of explosives under classes 3 and 4 the outer packages shall be marked with the date of the manufacture of the explosives. The abovementioned certificate shall contain sufficient information to admit of all packages being easily recognized.

¹ Substituted by Notification No. 4219—20, dated the 15th June, 1909, see Gazette of India, 1909, Pt. I, p. 487.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

XI.—The certificate referred to in Rule 13 (IX) shall be valid for six months after date, if the examination has been made between the 1st [1st August] and 31st March, but any Railway Administration which accepts dynamite and other nitro-glycerine compounds for transport may demand a fresh certificate for these explosives if presented for conveyance between 1st April and 1st [31st July] (both inclusive).

XII.—Packages containing dynamite and other blasting explosives of the 3rd (nitro-compound) class, or explosives of the 4th (chlorate-mixture), 5th (fulminate) classes or of the 1st Division of the 7th (fire-work) class shall be stowed in one layer only and secured so as to prevent movement during transit, and the gross load in any one wagon shall not exceed 3 tons:

Provided that, if the packages of explosive are in rectangular form and are properly secured so as to prevent movement during transit, they may be stowed in any number of layers not exceeding five, and the gross load in any one wagon shall not exceed 5 tons.

XIII.—No explosive of the 5th (fulminate) class or of the 3rd Division of the 6th (ammunition) class, or of the 7th (firework) class shall be carried in the same train with any explosive not of the class and division to which it belongs, unless it be sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

XIV.—Wagons used for the carriage of explosive shall be examined to see that they are spark-proof, and have been cleaned out before they are loaded. Hair, cloth, hides, or other suitable materials shall be spread on the floor of the wagon and between each layer of packages, except when the packages are covered with gunny or felt, or contain safety cartridges for small-arms packed in tin-lined service-pattern boxes.

XV.—Wagons containing explosives shall be loaded and unloaded on sidings distant as far as possible from the station buildings.

XVI.—Packages containing explosives other than those referred to in Rule 13 (XII) shall not be stored in more than three layers one above the other. But if the packages are in rectangular form and of uniform size (provided they are double packages, and are so secured as to prevent movement during transit) they may be packed in five layers one above the other. But in the case of safety cartridges for small-arms packed in tin-lined service-pattern boxes, there is no restriction. Subject to the provisions of Rule 11 (III), the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

¹ Substituted by Notification No. 4219—20, dated the 15th June, 1909, see Gazette of India, 1909, Pt. I, p. 457.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

XVII.—When the train is being marshalled, wagons loaded with explosives may be shunted by a locomotive, if they are separated from the engine by not less than three wagons containing no explosive nor easily inflammable substance. This precaution is not necessary with wagons specially constructed for the carriage of explosives. The speed of these movements shall be restricted to five miles an hour; they shall be superintended by a duly authorized officer, who shall be held responsible for the observance of these orders. Flying shunts are strictly prohibited.

XVIII.—Wagons containing explosives shall be placed at the end of the train away from the locomotive, and shall be close-coupled to one another as well as to the adjoining wagons and shall be preceded and followed by three wagons not loaded with explosives or other traffic of an inflammable nature.

Provided as follows:—

- (a) on the Darjeeling-Himalayan Railway, wagons containing explosives and adjoining wagons need not be close-coupled to one another; and
- (b) on the [Nilgiri and Karaikal—Peralam Railways] only one wagon need intervene between the locomotive and wagons containing explosives.

XIX.—If the wagons employed in the transport of explosives are provided with brakes, other than iron brakes, the brakes thereon shall on no account be worked while the wagons are running with a train, nor shall brakes, other than iron brakes, on vehicles immediately adjoining such wagons be worked while such wagons are so running.

XX.—Wagons shall in every case be locked when loaded with explosives.

XXI.—All operations connected with the transshipment of explosives at junction stations shall take place during daylight.

14. Whoever commits a breach of any of the foregoing rules relating to the mode of conveyance of explosives shall be punishable with a fine which may extend to Rs. 100.

Penalty.

IMPORTATION.

15. Subject to the following provisos, an explosive shall not be imported by sea or land into British India, except under and in accordance with the conditions of a license to import the explosive.
- License when required for importation.

¹ Substituted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Provided that any explosives may be imported by sea, previous to the grant of an importation license, in accordance with rules I, II, III, and IV of this rule.

I.—Any explosive other than an explosive specified in rule 18 may, previously to the grant of license to import, if it is included in a list published under clause (1) of rule 9 and for the time being in force, and if it is certified to be of British manufacture or, if not of British manufacture, if it is imported from the United Kingdom and covered by the certificate granted by one of His Majesty's Inspectors of Explosives in England, be landed in accordance with such regulations as the Local Government may prescribe in this behalf, and be stored in a place set apart by the Local Government for this purpose, or in any private magazine declared by the Local Government to be suitable therefor.

II.—Any such explosive of British manufacture may also be transported by rail to any such private magazines previously to the grant of a license to import.

III.—The Governor-General in Council may extend to any such explosive not of British manufacture regarding which he is satisfied that it has been manufactured under adequate official supervision the privilege of landing granted by rule 1, but such explosive may not be transported by rail until an importation license has been granted.

IV.—Before any explosive is landed under rules I and III, the consignee shall give to the Chief Customs Officer of the Port such undertaking, with or without security, as the said officer thinks sufficient, to obey, in the event of the explosive failing to satisfy the prescribed tests, such directions as to its disposal as the Local Government may see fit to prescribe.

If samples are taken, the procedure shall be that described in rule 23.

Provided, also, that explosives of British manufacture may be imported by land, previous to the grant of an importation license, in accordance with rules V and VI of this rule.

V.—Explosives (except those specified in rule 18) included in a list published under rule 9 (1), and certified to be of British manufacture, may, previously to the grant of a license, be imported and conveyed under such conditions as the Local Government may prescribe to a magazine appointed in this behalf by the Local Government.

VI.—Before an explosive is imported under rule V, the consignee shall give to the Magistrate of the District in which the magazine appointed under rule V is situate, or to the is situate in a Presidency-town to import the explosive as the Local Government may see fit to give such undertaking, with or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Magistrate or Commissioner of Police may require, that he will, in the event of the explosive failing to satisfy the prescribed tests, comply with such directions as to its disposal as the Local Government may issue.

If samples are taken, the procedure laid down in rule 24 shall be followed.

16. Whoever imports an explosive in contravention of rule 15 shall be punishable with fine which may extend to three thousand rupees.

17. An explosive shall not be imported by sea except at one of the ports of Calcutta (including Moyapur and Diamond Harbour), Madras, Bombay, Rangoon, Calicut, Karachi, Aden and (in the case of crackers only) Negapatam and Moulmein. But a license to import an explosive by sea from Rangoon into the port of Akyab, Sandoway, Kyaukphyoo, Tavoy, Mergui or Victoria Point, as the case may be, may be granted by the Magistrate of the district in which such port is situated. The fee payable in respect of each such license shall be one rupee, and the license shall be in ¹[Form I] in the schedule hereto annexed.

18. If the explosive is gunpowder or an explosive of the 1st division of the 6th (ammunition) class or of the 7th (fire-work) class, the license to import the same may be granted:—

(a) if the importation is by sea, by the Commissioner of Police of Calcutta, Madras, Bombay or Rangoon, or the District Magistrate of Calicut, Karachi, Aden, Negapatam or Moulmein, as the case may be, and

(b) if the importation is by land, by the officer appointed to grant licenses under rule 21.

19. The fee payable in respect of each such license shall be Rs. 10: but if any explosive imported under a license into a British port is exported thence to another British port named in rule 17, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of Rs. 10.

20. Licenses for the importation by sea of any explosives other than those specified in rule 18 shall be granted by the Local Government or by some other officer specially authorized by the Local Government in this behalf.

¹ Substituted by Notification No. 4895-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 574.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

21. Licenses for the importation of explosives into British India by land shall be granted by the Magistrate of the District to which the explosives are consigned, or, if the explosives are consigned to a Presidency town or Rangoon, by the Commissioner of Police. The fee payable in respect of each such license shall be Rs. 10.

Grant of licenses for importation by land and fees for such licenses

22. No license shall be granted for the importation of any explosives of the description referred to in rule 20, unless—

- (a) it is an explosive authorized for manufacture in or importation into the United Kingdom for general sale,
- (b) its importation is recommended by the Chief Inspector of Explosives with the Government of India, and
- (c) if it is an explosive for which a test or examination has been prescribed by or under the orders of the Government of India, samples of it taken as hereinafter provided are certified by the Chemical Examiner or some other officer appointed by the Local Government in this behalf to have passed the test or examination from time to time prescribed.

23. On the arrival in any port at which the importation of explosives is lawful of a ship having on board an explosive other than an explosive of the description referred to in rule 18, such officer as the Chief Customs Officer, authorizes in this behalf shall, as soon as may be, proceed on board and shall, if testing or examination is requisite under the last preceding rule, obtain samples of the explosive.

Testing of importations by sea in certain cases

All explosives of which samples are taken for examination shall forthwith be deposited in a place or magazine set apart or notified under rule 15-1, and shall not be distributed for use until the importer has received from the licensing authority notice that it may be so distributed.

The master of the ship shall give to the said officer, without charge, such samples as he may require. The said officer shall affix to each such sample the name of the ship and of the consignee and such other distinguishing marks as he may think necessary, and shall forward the same to the Chemical Examiner or officer, as aforesaid, for report.

The Chemical Examiner or officer as aforesaid, after testing the said samples, shall without delay forward to the licensing authority, through the Chief Customs Officer, a report under his signature certifying whether the explosive has satisfied the prescribed test.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

24. When an explosive imported by land has been conveyed to, and deposited in the magazine referred to in rule 15-V, the person owning or being in charge of such magazine shall forthwith, if the testing or examination of the explosive is required by rule 22, deliver free of charge to such officer or person as may be appointed by the Local Government in this behalf such samples as he may require. No explosive of which a sample has been so taken, shall be removed to its destination or distributed for use until the importer or the person in charge of the magazine has received from the licensing authority a notice that it may be so removed or distributed.

The officer or person appointed as aforesaid shall affix to the sample received by him the name of the consignee and such other distinguishing marks as he may think necessary, and shall forward the sample for report to the Chemical Examiner or other officer appointed by the Local Government in this behalf.

The Chemical Examiner or such other officer as aforesaid shall, after testing the sample, without delay forward to the licensing authority, through the officer or person from whom he received the sample, a report under his signature certifying whether the prescribed test has been satisfied.

25. ¹['Explosives, other than those referred to in rule 18, which have undergone the test prescribed by the rules made by the Governor of the Straits Settlements in Council under the Explosives Ordinance, 1899, to regulate the manufacture, use, sale, storage, transport, importation and exportation of explosive substances, may be imported by sea from Penang into the port of Victoria Point under a license granted under rule 20 without re-testing, but subject, in the case of such explosives as are mentioned in rule 13, clause IX, to the production of a certificate as provided by the rule in force in the Straits Settlements;']

Such ¹[certificates] shall be valid for six months after date, if the examination has been made between the ²[1st August] and 31st March; but in the case of dynamite, a fresh certificate may be demanded if the consignment is imported between the 1st April and ²[31st July] (both inclusive).

¹[Explosives, other than those referred to in rule 18, which have already undergone the test prescribed by rules 22 and 23 at the port of

¹ Substituted and added respectively by Notification No. 2721-13, dated the 14th April, 1909, see Gazette of India, 1909, Pt. I, p. 281.

² These dates were substituted by Notification No. 4219-20, dated the 15th June, 1909, see Gazette of India, 1909, Pt. I, p. 487.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Rangoon, may also be re-imported into the ports of Akyah, Saodoway, Kyaukpyu, Tavoy, Mergni or Victoria Point, under a license granted under rule 17 without re-testing, but subject to the conditions laid down in the foregoing paragraphs of this rule relating to the production of a certificate in the case of explosives mentioned in rule 13, clause IX.]

26. The period for which a license to import an explosive, granted under rules 20 and 21, shall continue in force shall not exceed such period as may seem necessary to the authority granting the license.

Duration of license granted under rules 20 and 21

27. The fee payable on a license granted under rule 20 shall be Rs. 10, but if any explosive imported under a license into a British port is exported thence to another British port named in rule 17, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of Rs. 10.

Fees for licenses granted under rule 20

28. Every license granted under rules 18, 20 and 21, shall be in [Form I] in the Schedule hereto annexed, and shall be subject to the conditions therein prescribed, and also to such additional conditions with respect to the time and place of unloading, landing, delivery and conveyance of the explosives, and such other conditions as may in each case be thought by the licensing officer to be necessary for the public safety or in the interest of the State.

Form of licenses under rules 18, 20 and 21.

29. Whoever commits a breach of any condition, subject to which a license under rules 18, 20 and 21 is granted, shall be punishable with fine which may extend to three thousand rupees.

Penalty.

30. (1) Any of the officers mentioned in clause (2) of this rule may, within the areas respectively specified in that clause, but subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), and of any rules for the time being in force thereunder, in cases to which that Act applies,—

Powers of inspection, search, seizure, etc.

(a) enter, inspect and examine any carriage or vessel in which an explosive is being transported or imported under a license granted under these rules or any prior rules made under the Indian Explosives Act, 1884 (IV of 1884), or in which he has reason to believe that an explosive has been or is being transported or imported in contravention of the said

¹ Substituted by Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

rules or Act, and may enter, inspect and examine any magazine or place in which explosives are stored under the provisions of rule 15;

- (b) search for explosives in any such carriage, vessel, magazine or place;
- (c) take samples of any explosives found therein, on payment of the value thereof, if payment can be made at the time the samples are taken; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.

(2) The officers and areas referred to in clause (1) of this rule are:—

Officers.	Areas.
The Chief Inspector and Inspectors of Explosives.	In all parts of British India.
All District Magistrates.	Within their respective districts.
All Magistrates subordinate to the District Magistrates.	Within the areas respectively subject to their jurisdiction.
The Commissioner of Police, and all Police-officers of rank not below that of Inspector, ¹ [or, if the Local Government so directs, of Sub-Inspector] if specially deputed in this behalf by the Commissioner of Police.	In Presidency towns and Rangoon.
All Police-officers of rank not below that of Inspector ¹ [or, if the Local Government so directs, of Sub-Inspector].	Within the respective areas over which their authority extends.

(3) Whenever the Chief Inspector or an Inspector of Explosives, or any Magistrate, subordinate to the District Magistrate, or any Police-officer seizes, detains or removes any explosives under this rule, he shall report the fact to the District Magistrate or (in a Presidency town or its suburbs or in Rangoon) the Commissioner of Police

(4) Neither the Chief Inspector nor an Inspector of Explosives, nor any Magistrate subordinate to the District Magistrate nor any Police-officer shall under these rules destroy or otherwise render harmless any

¹ Inserted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—contd.

explosive without the previous sanction of the District Magistrate or (in a Presidency town or its suburbs or in Rangoon) the Commissioner of Police unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owning the explosives or having the same under his control at the time of seizure; and whenever any officer other than the District Magistrate or Commissioner of Police so deals with any explosive, he shall report the circumstances to the District Magistrate or (in a Presidency town or its suburbs or in Rangoon) the Commissioner of Police.

GENERAL.

31. Every license granted under these rules shall be liable to be forfeited ¹[by the licensing authority] on breach of any of the conditions subject to which it is granted ²[and also by the Local Government, if the continuance of the license in the licensee is deemed objectionable ³].

32. If a person licensed to import ²[or to transport] an explosive dies or becomes bankrupt or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Indian Explosives Act, 1884 (IV of 1884), or the rules thereunder for acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on payment of one rupee ²[but no fee shall be charged in the case of a transport license granted under rule 8A.].

33. All fees chargeable for licenses under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamp: provided that, if it is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, minus

¹ Inserted by Notification No. 7122-9, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 796.

² Inserted by Notification No. 4895-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

the deductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but, where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

34. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of 8 annas.

Grant of duplicate licenses.

35. Any person holding a license¹ [or pass] or acting under a license shall be bound to produce the same when called upon to do so by any Magistrate, or by any Police officer in charge of a Police station, or by any Police officer of higher rank.

Production of licenses.

¹[35-A. Every license to transport explosives may, at its expiration, be renewed by the authority who granted it.

Removal of transport licenses.

35-B. Every authority empowered to grant or renew a license may, in his discretion—

Discretion of authority empowered to grant transport licenses.

(a) refuse to grant or renew such license, or

(b) refer the application for orders to the Government (if any) to which he is subordinate.]

36. All Magistrates or other authorities acting under these rules shall perform their duties subject to the control of their executive superiors and of the Local Government.

Control over officers.

37. Any authority empowered to grant a license under the foregoing rules may, if he thinks fit, direct by an order written on the license that it shall have the effect of a like license under the Indian Arms Act, 1878 (XI of 1878).

Power to extend effect of license.

¹ Inserted by Notification No. 4896-I., dated the 9th July 1910, see Gazette of India, 1910, Pt. I, p. 576.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).**Rules to regulate the transport and importation of explosives—*contd.***

38. Any persons lawfully entitled under the Indian Arms Act, 1878 (XI of 1878), or the rules thereunder, to possess any explosive coming under the head of ammunition, as defined in that Act, may import without license under these rules any such explosive in such quantities as may be prescribed by that Act or the rules thereunder, or, when no quantities are prescribed, in reasonable quantities for his own private use; but when an explosive is so imported the Collector of Customs or any other officers empowered by the Local Government in this behalf by name or by virtue of his office may at any time detain such explosive until he receives the orders of the Local Government thereon.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

FORM ¹[I].

(See Rules 18, 20, 21 and 28.)

FEE—TEN RUPEES IN STAMPS.

License to import Explosives.

Name, etc., and address of license-holder.	Number of packages.	EXPLOSIVE.			Purpose for which required.	Destination.	Period for which the license is valid.
		Description.	Weight.	Number.			
							From _____ th of _____ to the _____ _____ th of _____ _____ 190 .

The _____ of _____

 190 .



(Signature)

_____ of _____

Conditions.

1. This license is given subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder. Certain general rules are quoted separately below.

¹ Renumbered by Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

2. This license shall become void after expiry of the period named thereon.

3. This license is valid for importation only; if the articles named herein are to be transported to any place outside the ^{Presidency-town} _{town of}, they must be protected by a transport license, to be issued in accordance with ²[rule 8 A of these rules or] the rules under the Indian Arms Act, 1878 (XI of 1878), ²[as the case may be] except in the case of explosives despatched to places or magazines set apart or notified under the proviso to rule 15.

4. On the outside of each package there shall be affixed in conspicuous characters by means of a brand or securely attached label or mark the word "Explosive," followed by the name of the explosives or other description of the contents and the name and address of the owners or senders.

GENERAL RULES.

31. Every license granted under these rules shall be liable to be forfeited ³[by the licensing authority] on breach of any of the condition subject to which it is granted ³[and also by the Local Government, if the continuance of the license in the hands of the licensee is deemed objectionable].

32. If a person licensed to import ⁴[or to transport] an explosive dies or becomes bankrupt or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Indian Explosives Act, 1884 (IV of 1884), or the rules made thereunder for acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee ⁴[but no fee shall be chargeable in the case of a transport license granted under rule 8-A].

¹ Note.—In the case of explosion in the town of the Presidency town as defined in the General Clauses Act, 1859, the name of the town should be inserted.

² Inserted by Notification No. 7122-G, dated the 30th September, 1911, see Gazette of India, 1911, Pt. I, p. 576.

³ Inserted by Notification No. 4896-L, dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

⁴ In the case of explosion in the town of the Presidency town as defined in the General Clauses Act, 1859, the name of the town should be inserted.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

33. All fees chargeable for licenses under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamp: provided that, if it is refused, the value of the separate stamp (if any which may have been already provided by the applicant for the desired license or renewed license, *minus* the deductions prescribed by section 54 of the Indian Stamp Act, 1899^a (II of 1899), may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but, where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

34. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of 8^a annas.

35. Any person holding a license ¹[or pass] or acting under a license granted in accordance with these rules, shall be bound to produce the same when called upon to do so by any Magistrate, or by any Police officer in charge of a Police-station, or by any Police officer of higher rank.²

³FORM II.

(See Rule 8-A.—I.)

FREE OF CHARGE.

General license to transport explosives required for blasting purposes.

(To be granted to holders of licenses in Forms F, J or K contained in the Schedule to the rules for the manufacture, possession and sale of

¹ Inserted by para. II (f) of Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

² For rules 35A and 35B inserted in the body of the Rules, see *ante*.

³ Form II was added by Notification No. 4896-I., dated the 9th July, 1910, see Gazette of India, 1910, Pt. I, p. 576.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

explosives published with the notification of the Government of India in the Department of Commerce and Industry, No. 9045-8, dated the 29th November 1906.)

A general license is hereby granted to

to transport explosives required for blasting purposes from

to the places* specified below subject to the conditions hereinafter contained.

*Places of destination

The license shall continue in force till the

The

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(Signature)

Conditions of license.

1. The license is subject to the Indian Explosives Act, 1884 (IV of 1884), and to the rules made thereunder.

2. It becomes void on the expiration of the term mentioned, or if a consignment breaks bulk before reaching the place of destination, or if the explosive is taken from or to any place other than the places mentioned in the license.

3. It authorises the licensee to deliver consignments of explosive material covered by the license, provided:—

- (i) that the consignee has taken out a license for the possession of explosives under the Indian Explosives Act, 1884 (IV of 1884);
- (ii) that the quantity of explosives despatched to any consignee is not in excess of the quantity which he is entitled under his license to possess;
- (iii) that each consignment of explosives is covered by a pass in the form appended hereto;
- (iv) that a copy of the pass issued with each consignment is forthwith sent to the authority granting the license and also to the Magistrate of the District to which the explosives are consigned or to the Commissioner of police if the explosives are consigned to a Presidency town or Barrack;
- (v) that any loss, shortage or theft of explosives is forthwith reported without delay to the licensing authority.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

FORM OF PASS.

Pass granted by the holder of General Transport License (Explosives) No. _____ for the transport of a consignment of explosives required for blasting purposes.

No. _____

This pass covers _____ packages containing (Description of explosives and weight) _____ while in transit from _____ to _____
 Name of consignee _____
 No. of consignee's license to possess explosives _____
 Date of despatch of consignment _____
 Approximate date on which consignment should reach its destination _____
 Holder of General Transport License No. _____

Rule for testing Explosives.

With reference to rule 22 of the Rules to regulate the transport and importation of explosives published with this Notification and in supersession of the Notification of the Government of India in the Home Department, No. 5529 (Public), dated the 11th October 1901, the Governor-General in Council is pleased to make the following rule on the subject of the tests which explosives should be required to pass before their importation is permitted.

Rule.

Class 1.—Gunpowder class. Gunpowder is not required to pass a test.

Class 2.—Nitrate-mixture class. Nitrate-mixture explosives are not ordinarily required to pass a test. The Local Government, however, or the authorized officer granting the import license under rules 20 and 21 of the Rules to regulate the transport and importation of explosives published with this Notification may in any particular case or class of cases require that a sample of the explosive which is to be imported be sent first to the Chemical Examiner for an analysis of its constituent parts.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

Class 3.—Nitro-compound class. It is for explosives of this class that testing is chiefly required in respect to the purity of their composition and their liability to liquefaction or exudation. The tests prescribed for the nitro-compound explosives are contained in Schedule A attached to this rule.

Class 4.—Chlorate-mixture class. See Schedule A for remarks regarding the testing of this class.¹

Class 5.—Fulminate class. No test has been laid down for explosives of the Fulminate class.¹

Class 6.—Ammunition class. No test is required for explosives of the 1st Division of this class. If the substances of which explosives of the 2nd and 3rd Divisions are composed have to be tested under the preceding rules, they will be equally liable to be tested when enclosed in any case or contrivance and thus falling under the Ammunition class.

Class 7.—Firework class. Explosives of this class are not required to pass a test.

SCHEDULE A

Heat Test as applied to Explosives of the Nitro-compound Class

GENERAL INSTRUCTIONS.

Apparatus required.

1. A water bath, consisting of a spherical glass or copper vessel [(a) Fig. 1] of about 8 inches diameter, and with an aperture of about 5 inches; the bath is filled with water to within a quarter of an inch of the edge. It has a loose cover of sheet copper about 6 inches in diameter (b), and rests on a tripod stand about 14 inches high (c), which is covered with coarse iron wire gauge (e), and is surrounded with a screen of thin sheet tin or copper (d). Within the latter is placed an Argand burner (f), with glass chimney. The cover (b) has four holes arranged as seen in Fig. II, No. 4 to receive the regulator, No. 3 the thermometer, Nos. 1 and 2 the test-tubes containing the gun-cotton or other materials to be tested. Around holes 1 and 2 on the underside of the cover are soldered three pieces of brass wire with points slightly converging (Fig. III);

¹ Licenses are not at present given for the importation into British India of any explosives of these classes.

General Rules and Orders made under General
Part II.—General Rules and Orders made under General
the Governor General in Council—*contd.*
Acts of

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

To regulate the transport and importation of explosives—*contd.*

Rules to regulate the transport and importation of explosives—*contd.*
these act as supports and removed.

Fig. I.

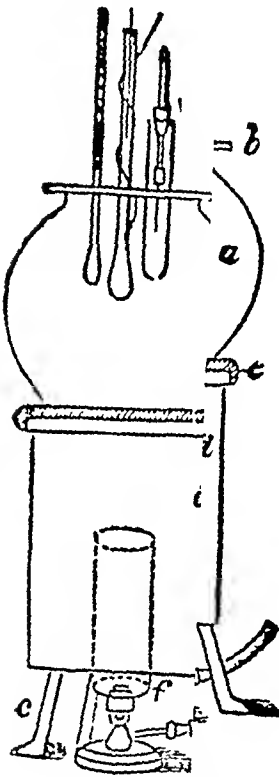


Fig. II.

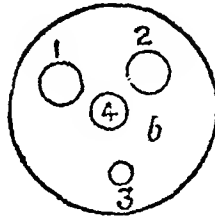


Fig. IV.

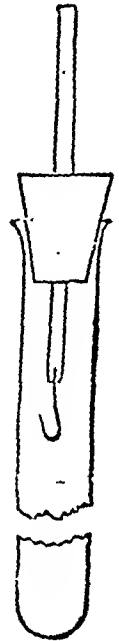
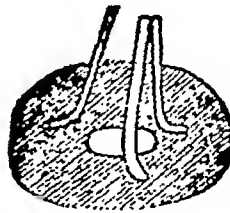


Fig. III.



Scheibler's or Page's temperature regulator.

12. Scheicells of Le Clanche's battery No. 1
13. Two yards of insulated copper wire

} if Scheibler's regular
tor is used.

14. A few tubes from $5\frac{1}{4}$ to $5\frac{1}{2}$ inches long, and of such diameter that they will hold from 20 to 22 cubic centimeter of water when filled to a height of 5 inches.

5. Test-tubes, fitted with rubber stoppers, fitting the test-tubes and carrying an arrangement for holding the test-paper, viz., a narrow glass tube passing through the centre of the stopper, drawn out so as to form a hook, or in a platinum wire hook (Fig. IV).

terminating not absolutely required, as the temperature of the bath can be kept constant attention to the heating flame.

¹ This is required by proper attention

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

7. A thermometer, with range not less than from 30° to 212° Fahrenheit.

8. A minute clock.

Materials required.

(a) *Test-paper.*—The test-paper is prepared as follows:—45 grains of white maize starch (cornflour), previously washed with cold water, are added to $8\frac{1}{2}$ ounces of distilled water, the mixture is stirred, heated to boiling, and kept gently boiling for 10 minutes; 15 grains of pure potassium iodide (*i.e.*, which has been re-crystallized from alcohol) are dissolved in $8\frac{1}{2}$ ounces of distilled water. The two solutions are thoroughly mixed and allowed to get cold. Strips, or sheets, of best white English filter paper weighing air dry, from 4.1 to 4.6 grammes per 100 square inches, previously washed with water and re-dried are dipped into the solution thus prepared, * * * and allowed to remain in it for not less than 10 seconds; they are then allowed to drain and dry in a place free from laboratory fumes and dust. The upper and lower margins of the strips, or sheets, are cut off, and the paper is preserved in well-stoppered or [corked] bottles, and in the dark.² The dimensions of the pieces of test-paper used are about $\frac{1}{16}$ inch by $\frac{3}{16}$ inch (10 mm. by 20 mm.).

(b) *Standard tint paper.*—A solution of caramel in water is made of such concentration that when diluted one hundred times (10 cc. made up to 1 litre) the tint of this diluted solution equals the tint produced by the Nessler test in 100 cc. water containing 0.000075 grm. of ammonia or 0.00023505 grm. of chloride of ammonium. With this caramel solution lines are drawn on strips of white filter paper³ by means of a clean quill pen. When the marks thus produced are dry the paper is cut into pieces of the same size as the test-paper previously described, in such a way that each piece has a brown line across it near the middle of its length, and only such strips are preserved in which the brown line has a breadth varying from $\frac{1}{2}$ mm. to 1 mm. ($\frac{1}{80}$ of an inch to $\frac{1}{20}$ of an inch).

¹ Omitted and substituted respectively by Notification No. 6123-17, dated the 30th June, 1908, see Gazette of India, 1908, Pt. I, p. 593.

² When a paper is freshly prepared and as long as it remains in good condition, a drop of dilute acetic acid put on the paper with a glass rod produces no coloration. In process of time, however, the stronger the light to which the paper is exposed, the sooner a drop of the acid produces a brown or bluish coloration (a single hour of direct sunlight produces a marked effect), and whenever this is the case, the paper should be rejected. After preparation the paper should be kept in the dark for a month before being taken into use. After that, if carefully kept in the dark, it will remain good for six months or more, but should be tested from time to time as above.

³ This paper must be carefully washed with distilled water, in the first instance, to remove any traces of bleaching matter, and dried. [Notes 2 and 3 form part of the Notification itself.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

I.—TESTING DYNAMITE, BLASTING GELATINE, AND OTHER EXPLOSIVES OF THE FIRST DIVISION OF THE NITRO-COMPOUND CLASS.

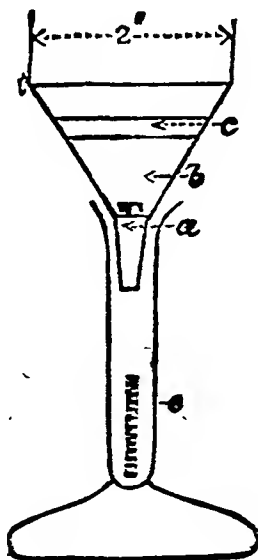
A.—DYNAMITE, ETC., ETC.

Nitro-glycerine preparations, from which the nitro-glycerine can be extracted in the manner described below, *must* satisfy the following test.

This test, however, though at present looked upon as the most important, as far as testing the purity of the nitro-glycerine is concerned, is in England only one of several which any given sample of nitro-glycerine preparation has to satisfy in order to establish its compliance with the definition in the Authorised List.

Apparatus required.

A funnel 2 inches across (*d*), a cylindrical measure divided into grains (*e*). (See sketch.)



Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).****Rules to regulate the transport and importation of explosives—*contd.****Mode of operation.*

About 300 to 400 grains of dynamite (b) finely divided are placed into the funnel, which has previously been loosely plugged by some freshly-ignited asbestos (a).

The surface is smoothed by means of a flat-headed glass rod or stopper, and some clean washed and dried Kieselguhr (c) is spread over it to the depth of about $\frac{1}{2}$ inch.

Water is next carefully dropped from a wash bottle upon this Kieselguhr, and when the first portion has been soaked up, more is added; this is repeated until sufficient nitro-glycerine has been collected in the graduated measure (e) below.

If any water should have passed through with the nitro-glycerine, it should be removed with a piece of blotting paper, and the nitro-glycerine, if necessary, filtered through a dry paper filter.

Application of the Test.

The thermometer is fixed so as to be inserted through the lid of the water bath described under I, into the water (which is to be steadily maintained at a temperature of 160° Fahr.*) to a depth of 23 inches. Fifty grains of nitro-glycerine, to be tested, are weighed into a test-tube in such a way as not to soil the sides of the tube. A test paper is fixed on the hook of the glass rod, so that when inserted into the tube it will be in a vertical position. A sufficient amount of a mixture of half distilled water and half glycerine to moisten the upper half of the paper is now applied to the upper edge of the test-paper, by means of a camel's hair pencil, the cork carrying the rod and paper is fixed into the test-tube and the position of the paper adjusted, so that its lower edge is about half way down the tube; the latter is then inserted through one of the perforations of the cover to such a depth that the lower margin of the moistened part of the paper is about five-eighths of an inch above the surface of the cover. The test is complete when the faint brown line which after a time makes its appearance at the line of boundary between the dry and moist part of the paper equals in tint the brown line of the standard tint paper.

The nitro-glycerine under examination will not be considered to have satisfied the test unless the time necessary to produce the standard tint as above described is at least 15 minutes.

* For explosives supplied for His Majesty's Military and Naval Services the temperature is fixed by the War Office at 160°.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

B.—BLASTING GELATINE, GELATINE DYNAMITE, AND ANALOGOUS PREPARATIONS.

Fifty (50) grains of blasting gelatine are to be intimately incorporated with one hundred (100) grains of French chalk.* The mixture is to be gradually poured into a test-tube of the dimensions prescribed above for the dynamite heat test, with the aid of gentle tapping upon the table, between the introduction of successive portions of the mixture into the tube, so that when the tube contains all the mixture it shall be filled to the extent of $1\frac{3}{4}$ inches (one inch and three-quarters) of its height. The test paper is then to be inserted and the heat is to be applied in the manner prescribed above for the dynamite heat test, and the sample tested is to withstand exposure to 160° Fahr. for a period of ten (10) minutes, before producing a discoloration of the test-papers corresponding in tint to the standard colour test which is employed for governing the results of the dynamite heat test.

(For Exudation and Liquefaction tests for Blasting Gelatine, etc., etc., see Appendix, page 952.)

N.B.—*Non-gelatinized nitro-glycerine preparations from which the nitro-glycerine cannot be expelled by water, are tested without any previous separation of the ingredients, the temperature being as above (160° Fahr.) and the time being seven (7) minutes.*

C.—CORDITE AND BALLISTITE.

1. Apparatus required.

The apparatus necessary for the application of the heat test to cordite is identical with that described above for explosives of the nitro-compound class generally† with the addition of a mill and a nest of sieves‡ similar

* This can be readily effected by carefully working the two materials together with a wooden pestle in a wooden mortar.

The French chalk should be of good commercial quality and after being carefully washed with distilled water and dried in a water oven, it should be exposed under a bell jar to moist air until it has taken up about 0.5 per cent. of moisture. It should then be bottled for use; and with ordinary care the limits of 0.5 per cent. can be maintained in keeping.

† In the Waltham Abbey apparatus the cover (Fig. II) has all the holes around the circumference, instead of having one in the centre and three around the circumference.

‡ A nest of two sieves with the holes drilled in sheet copper. The holes in the top sieve have a diameter=14 B. W. G.; those in the second=21 B. W. G.

If too hard for the mill, it may be softened by exposure to the vapour of acetone, or reduced to the necessary degree of sub-division by means of a sharp moderately coarse rasp. Should it have become too soft in the acetone vapour for the mill, it should be cut up into small pieces which may be brought to any desired degree of hardness by simple exposure to air.

Explosives which consist partly of gelatinized collodion cotton and partly of ungelatinized gun-cotton are best reduced to powder by a rasp, or softened by exposure to mixed ether and alcohol vapour at a temperature of 90° to 100° Fahr.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

to those used at Waltham Abbey for preparing the cordite for testing (see instructions below).

2. *Preparation of the sample to be tested.*

Pieces half an inch long are cut from one end of every stick selected for the test; in the case of the thicker cordites, each piece so cut is further sub-divided into about four portions. These cut pieces are then passed once through the mill, the first portion of material which passes through being rejected on account of the possible presence of foreign matter from the mill. The ground material is put on the top sieve of the nest of sieves and sifted. The portion which has passed through the top sieve and been stopped by the second is taken for the test. If the mill is properly set the greater portion of the ground material will be of the proper size.

If the volatile matter in the explosive exceed 0.5 per cent, the sifted material should be dried at a temperature not exceeding 140° Fahr. until the proportion does not exceed 0.5 per cent.

After each sample has been ground, the mill must be taken to pieces and carefully cleaned.

3. *Application of the Test.*

The thermometer is fixed so as to be inserted through the lid of the water bath, described under I so as to be immersed in the water to a depth of 2½ inches. The water is maintained at a constant temperature of 180° Fahr. When this temperature is reached, 25 grains of the sifted cordite are put into one of the test-tubes, and collected at the bottom by gentle tapping. A test-paper is fixed on to the hook of the glass rod, so that when inserted into the tube it will be in a vertical position. A mixture of equal parts of distilled water and pure glycerine (Price's) is now applied to the upper edge of the test-paper by means of a camel's hair pencil, in sufficient amount to moisten the upper half; the stopper carrying the rod and paper is fixed into the test-tube and the position of the paper adjusted, so that its lower edge is about half-way down the tube; the latter is then inserted through one of the perforations of the cover to the same depth as the thermometer. The lower margin of the moistened part of the paper should then be about five-eighths of an inch above the surface of the cover. The test is completed when the faint brown line, which after a time makes its appearance at the margin between the wet and dry portions of the test paper, equals in depth of tint the brown line drawn on the standard tint paper.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*contd.*

4. The time which elapses between the insertion of the test-tube and the completion of the test must not be less than 15 minutes.

N.B.—*In the case of ballistite the treatment is the same, except that when it is in a very finely granulated condition it need not be cut up.*

II.—TESTING GUN-COTTON, SCHULTZ'S GUNPOWDER, E. C. POWDER, AND OTHER EXPLOSIVES OF THE SECOND DIVISION OF THE NITRO-COMPOUND CLASS.

A.—COMPRESSED NITRO-CELLULOSE, TONITE, ETC., ETC.

Sufficient material to serve for two or more tests is removed from the centre of the cartridge by gentle scraping, and, if necessary, further reduced by rubbing through a sieve with a clean hard brush.

The fine powder thus produced is spread out in a thin layer upon a paper tray 6 inches by $4\frac{1}{2}$ inches, which is then placed ¹[inside] a water oven, kept as nearly as possible at 120° Fahr.

The wire gauge shelves in the oven should be about 3 inches apart. The sample is allowed to remain at rest for 15 minutes in the oven, the door of which is left wide open.

After the lapse of 15 minutes the tray is removed and exposed to the air of the room for two hours, the sample being at some point within that time rubbed upon the tray with a brush, in order to reduce it to a fine and uniform state of division.

Application of the Test.

The cover of the water bath is fitted with the gas regulator which is inserted through the centre hole (No. 4). The thermometer is fixed into hole No. 3. The water in the bath is then heated to 170° Fahr., and the regulator set to maintain that temperature. Twenty grains of the sample to be tested are weighed out, placed in the test-tube and gently pressed down until the specimen occupies a space of not more than $1\frac{5}{16}$ inches in a test-tube of the dimensions specified. A test-paper is affixed to the hook of the glass rod or tube, and moistened by touching the upper edge with a drop of distilled water containing 50 per cent. of Price's glycerine. The quantity of liquid used must be only sufficient to moisten about half of the paper. The cork carrying the rod and test-paper is

¹ Substituted by Notification No. 5806-4, dated the 5th July, 1907, see Gazette of India, 1907, Pt. I, p. 569.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

then fixed into the test-tube, and the latter inserted into the bath to a depth of $2\frac{1}{2}$ inches, measured from the cover, the regulator and the thermometer being inserted to the same depth. The test-paper is to be kept near the top of the test-tube, but clear of the cork, until the tube has been immersed for about five minutes. A ring of moisture will about this time be deposited upon the sides of the test-tube a little above the cover of the bath; the glass rod must then be lowered until the lower margin of the moistened part of the paper is on a level with the bottom of the ring of moisture in the tube; the paper is now closely watched. The test is complete when the faint brown line, which makes its appearance at the line of boundary between the dry and moist parts of the paper, equals in tint the brown line of the standard tint paper.

The interval of time between the first insertion of the tube containing the sample of gun-cotton in the water at 170° and the production of the standard tint constitutes the test, and this interval of time must be *not less* than 10 minutes, or the sample will not be considered to have satisfied the test.

B.—GELATINIZED AND SEMI-GELATINIZED NITRO-CELLULOSE PREPARATIONS.*

Twenty-five grains introduced into the test-tube* of the dimensions prescribed for the dynamite heat test, then proceed as for Blasting Gelatine, etc., taking the temperature at 180° Fahr., and the time as 15 minutes.

C.—NITRO-CELLULOSE NOT INCLUDED IN A. OR B., SCHULTZ'S POWDER, E. C. POWDER, ETC., ETC.

Sufficient of the sample, without further mechanical division, is dried in the oven as above, and then exposed for two hours to the air. The test as directed above for compressed Nitro-Cellulose, etc., is then applied, the minimum duration of test being the same, *viz.*, 10 minutes.

D.—PICRIC ACID.

(1) The material shall contain not more than 0.3 part of mineral or non-combustible matter in 100 parts by weight of the material dried at 160° Fahr.

* If in a compressed form it should be broken up in the same manner as cordite and ballistite.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules to regulate the transport and importation of explosives—*contd.*

- (2) It should not contain more than a minute trace of lead.
 - (3) One hundred parts of the dry material shall not contain more than 0·3 part of *total* (free and combined) sulphuric acid, of which not more than 0·1 part shall be *free* sulphuric acid.
 - (4) Its melting point should be between 284° and 253° Fahr.
-

E.—AMMONITE, BELLITE, ROBURITE, AND EXPLOSIVES OF SIMILAR COMPOSITION.

These are required to stand the same heat test as Compressed Nitro-Cellulose.

III.—TESTING CHLORATE MIXTURES.

The material must not be too sensitive* and must show no tendency to increase in sensitiveness on keeping.

The material must contain nothing liable to reduce the chlorate.

Chlorides calculated as Potassium Chloride must not exceed 0·25 per cent.

The material must contain no free acid, or substance liable to produce free acid.

Explosives of this class containing nitro-compounds will be subject to the Heat test as if they belonged to Class III.

APPENDIX.

EXUDATION AND LIQUEFACTION TEST FOR BLASTING GELATINE, GELATINE DYNAMITE AND ANALOGOUS PREPARATIONS.

Test for Liquefaction.

A cylinder of blasting gelatine is to be cut from the cartridge to be tested, the length of the cylinder to be about equal to its diameter and the ends being cut flat.

The cylinder is to be placed on end on a flat surface without any wrapper, and secured by a pin passing vertically through its centre.

* They will be considered too sensitive if they can be exploded however partially by means of a glancing blow with a broomstick on soft wood (such as deal).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV of 1884).

Rules to regulate the transport and importation of explosives—*concl'd.*

In this condition the cylinder is to be exposed for one hundred and forty-four (144) consecutive hours (six days and nights) to a temperature ranging from 85° to 90° Fahr. (inclusive), and during such exposure the cylinder shall not diminish in height by more than one-fourth of its original height, and the upper cut surface shall retain its flatness and the sharpness of its edge.

N.B.—*If the blasting gelatine and the gelatine dynamite to be tested be not made up in a cylindrical form, the above test is to be applied with the necessary modifications.*

TEST FOR LIABILITY TO EXUDATION.

There shall be no separation from the general mass of the blasting gelatine or gelatine dynamite of a substance of less consistency than the bulk of the remaining portion of the materials under any conditions of storage, transport, or use, or when the material is subjected three times in succession to alternate freezing and thawing, or when subjected to the liquefaction test hereinbefore described.

[See Gazette of India, 1907, Pt. I, p. 405.]

Liquid acetylene as an explosive and prohibition of importation of such.

No. 370—39-I., dated the 13th January, 1912.—In supersession of the Notification in this Department No. 4197-26, dated the 1st June 1906, and in exercise of the powers conferred by Section 17 of the Indian Explosives Act, 1884 (IV of 1884), the Governor-General in Council is pleased hereby to declare that acetylene when liquid or when subject to a pressure greater than $1\frac{1}{2}$ atmospheres shall be deemed to be an explosive within the meaning of the said Act:

Provided that, subject to the conditions hereinafter specified, acetylene, when in admixture with oil-gas, shall not be deemed to be an explosive within the meaning of the said Act, when under compression—

- (1) The acetylene shall be generated only by the Atkins Dry Process.
- (2) The proportion of acetylene shall not exceed fifty parts by volume in every one hundred parts of the mixture of acetylene and oil-gas.
- (3) The acetylene and oil-gas shall be mixed together in a chamber or vessel before the gases are subjected to compression.
- (4) The mixture shall not be compressed to a pressure exceeding one hundred and fifty pounds per square inch.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Liquid acetylene as an explosive and prohibition of importation of such—*contd.*

Provided also that, subject to the conditions hereinafter specified, acetylene, when compressed into porous substances, with or without acetone, shall not be deemed to be an explosive within the meaning of the said Act—

- (1) The porous substance shall fill, as completely as possible, the cylinder or other vessel into which the acetylene is compressed.
- (2) The porosity of the substance shall not exceed eighty per cent.
- (3) Due precaution shall be taken to exclude air from every part of the apparatus before the acetylene is compressed.
- (4) Due precaution shall be taken to prevent undue rise of temperature in compressing the acetylene.
- (5) The pressure shall not exceed one hundred and fifty pounds to the square inch.
- (6) Every cylinder or other vessel into which acetylene is to be compressed shall be tested by hydraulic pressure of not less than double the pressure to which the vessel is to be submitted in use, such hydraulic pressure being maintained for a period of not less than ten minutes.
- (7) The compression pump shall be surrounded by rope mantlets and no reservoir shall be used during compression unless it is also filled with the porous substance.
- (8) In the case where acetone is used for absorbing the acetylene, due precaution shall be taken that the quantity of acetone is such when fully charged with acetylene it does not completely fill the porosity of the porous substance.
- (9) The compression of acetylene shall be carried out only on such premises as shall have been approved by an Inspector of Explosives.
- (10) Every cylinder or other vessel in which acetylene has been compressed in virtue of this Notification shall be legibly marked with the words—

“Acetylene compressed into porous substance exempted by Government of India, Department of Commerce and Industry, Notification No. 370-39, dated the 13th January 1912”

together with the name of the firm by whom the vessel has been charged.
- (11) Every facility shall be given to the Inspectors of Explosives to inspect the apparatus and methods by which the cylinders or other vessels are charged in virtue of this Notification.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Liquid acetylene as an explosive and prohibition of importation of such—*concl.*

II. In supersession of the Notification of the Government of India in the Home Department No. 2289, dated the 31st August 1900, and in exercise of the powers conferred by Section 6 of the Indian Explosives Act, 1884 (IV of 1884), the Governor General in Council is pleased to prohibit absolutely the manufacture, possession and importation of such acetylene as is declared by paragraph I of this Notification to be an explosive.

[See Gazette of India, 1912, Pt. I, p. 43.]

Powers conferred on Chief Inspector of Explosives.

No. 6296, dated the 13th December, 1901.—In exercise of the power conferred by section 7 of the Indian Explosives Act, 1884 (IV of 1884), the Governor General in Council is pleased to make the following rule in supersession of the rule published with Home Department Notification No. 660, dated the 23rd March, 1899, and modified by Home Department Notification No. 888, dated the 27th March, 1900, namely:—

Rule.

“The Chief Inspector or Inspector of Explosives with the Government of India may, subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), and of any rule thereunder in cases to which that Act applies, in any part of British India—

- (a) enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, used, sold, transported or imported under a license granted under the Indian Explosives Act, 1884 (IV of 1884), or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of that Act or of the rules under that Act;
- (b) search for explosives therein;
- (c) take samples of any explosives found therein on payment of the value thereof; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that the provisions of the said Act or of the rules under that Act have been contravened:

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).

Rules as to possession, conveyance and sale of Picric acid—*contd.*

Provided, also, that such picric acid when dry is so packed in a substantial barrel or case that the contents cannot escape; and that no metal other than aluminium, or an alloy containing not less than ninety per centum of aluminium, is used in the construction of any package containing such picric acid, and that each barrel or case is legibly marked "Picric acid."

Picric acid when not subject to the above exemptions must be packed and marked as laid down in the rules* relating to the packing of explosives prescribed by the Government of India.

* General Rules for Transport and Importation of Explosives.

III.—Picrates and mixture of picric acid with any other substance (for whatever purpose used or manufactured) shall be deemed to be explosives within the meaning of the said Act, subject to the following exception[s]¹:—

(a) A picrate mixed with not less than half its own weight of water shall be exempt from being deemed to be an explosive within the meaning of the said Act.

¹(b) Picric acid thoroughly mixed with not less than three times its own weight of—

- (i) anhydrous sulphate of soda,
- (ii) crystallized sulphate of soda, when packed in hermetically closed packages, or
- (iii) potash alum,

shall be exempt from being deemed to be an explosive within the meaning of the said Act.

Schedule.

Any of the following metals or metallic oxides, namely, lead, oxide of iron, potash, baryta, lime, soda, oxide of zinc, oxide of copper; and any compound of such metal or oxide (other than a metallic sulphate); or any chlorate, nitrate, or other oxidizing agent; or any other substance declared by a Notification of the Government of India to be capable of forming with picric acid a dangerous compound:

Provided that this schedule shall not be deemed to include any metal, or oxide unavoidably formed on any metal, used in the construction of any ship, boat or carriage, or contained in any paint, where the packages containing picric acid are protected from direct contact with such metal or paint.

[See Gazette of India, 1905, Pt. I, p. 709.]

¹ The letter "s" and sub-cl. (b) were added by Notification No 5631—17, dated the 20th July, 1906, see Gazette of India, 1906, Pt. I, p. 513.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN EXPLOSIVES ACT, 1884 (IV OF 1884).****Procedure in publication of draft rules.**

No. 1964-P., dated the 2nd September, 1887.—Under section 18, sub-section (2), of the Indian Explosives Act, 1884 (IV of 1884), the Governor General in Council is pleased to prescribe that drafts of proposed rules under the Act shall be published—

- (a) when the authority making the rules is a Local Government, in one issue of the local official Gazette in English and in such other language or languages as the Local Government may direct; and
- (b) when the authority making the rules is the Governor General in Council, in one issue of the Gazette of India in English, and in one issue of the local official Gazette (if any) of every Local Government in British India in English and in such other language or languages as the Local Government may direct.

This Notification supersedes Home Department Notification No. 1437, dated the 14th August, 1885.

[See Gazette of India, 1887, Pt. I, p. 448.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE INDIAN STEAM-SHIPS AND INLAND STEAM-VESSELS ACTS, 1884
(VI AND VII OF 1884).**

Date of coming into force of Act VI of 1884 in British India except Madras.

No. 3379-S., dated the 7th October, 1885.—In accordance with the provisions of section 2, sub-section (1), of Act VI of 1884 (The Inland Steam-vessels Act), the Governor General in Council is pleased to direct that the Act shall come into force in the whole of British India, excepting the territories administered by the Governor of Fort St. George in Council, on and from the first day of December, 1885.

[See Gazette of India, 1885, Pt. I, p. 577.]

Date of coming into force of Act VII of 1884.

No. 3381-S., dated the 7th October, 1885.—In accordance with the provisions of section 2, sub-section (1), of Act VII of 1884 (The Indian Steam-ships Act), the Governor General in Council is pleased to direct that the Act shall come into force on and from the first day of December, 1885.

[See Gazette of India, 1885, Pt. I, p. 577.]

Declaration as to dangerous goods.

No. 10549-37, dated the 13th December, 1913.—In accordance with the provisions of section 47 of Act VI of 1884 (The Inland Steam-vessels Act), as amended up to date, the Governor General in Council is pleased to declare that the following articles shall be deemed to be dangerous goods for the purposes of the Act:—

1. "Explosives" as defined in section 4, clause (1), sub-clauses (a) and (b), of the Indian Explosives Act, IV of 1884:
2. "Petroleum" as defined in section 2 of the Indian Petroleum Act, VIII of 1899, except petroleum required for use as fuel by the steam or motor-vessel carrying the same.
3. "Sulphuric acid."

Finance and Commerce Department Notification No. 3384 (Statistics and Commerce—Commerce and Trade—Merchant Shipping), dated Simla, the 7th October, 1885, is hereby superseded.

[See Gazette of India, 1913, Pt. I, p. 1349.]

Publication of draft rules under the Acts.

No. 3383, dated the 7th October, 1885.—In accordance with the terms of section 69, sub-section (2), of Act VI, and section 42, sub-section

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE INDIAN STEAM-SHIPS AND INLAND STEAM-VESSELS ACTS, 1884
(VI AND VII OF 1884).**

Publication of draft rules under the Acts—*contd.*

(2), of Act VII of 1884, the Governor General in Council is pleased to declare that drafts of the Rules to be issued under those Acts shall be¹ published by the Local Governments in the manner hereinafter indicated:—

*In the territories administered by the Governor of Bombay in Council
(exclusive of Sind).*

- (1) The draft rules shall be published twice in the Bombay Government Gazette and twice in two of the local English newspapers.
- (2) Copies shall be supplied through the Chamber of Commerce to owners and agents of steam-vessels.
- (3) Copies shall also be supplied to the Port Officer of Bombay for distribution to masters, agents, and owners of steam-vessels; and the Port Officer shall post in his office in a conspicuous place a notice that copies are available on application.

In the Province of Sind.

- (1) The draft Rules shall be published twice in the local official Gazette.
- (2) Copies shall be supplied to the Chamber of Commerce, and also to the Port Officer of Kurrachee for distribution to masters, owners, and agents of steam-vessels; and the Port Officer shall post in his office in a conspicuous place a notice that copies are available on application.
- (3) Copies of the drafts under Act VI of 1884 shall also be posted in conspicuous places in the towns of Sukkur, Rohri, Hyderabad, and Kotri.

In Bengal.

- (1) The draft rules shall be published twice in the Calcutta Gazette, and twice in three of the local English newspapers.
- (2) Copies shall be supplied to the Chamber of Commerce for distribution among the agents of steam-vessels.
- (3) Copies shall also be supplied to the Port Officers of Calcutta and Chittagong for distribution to masters, owners, and agents of steam-vessels; and the Port Officers shall post a conspicuous place in their offices a notice that copies are available on application.

¹ See also Notification No. 3028-S, dated the 17th July, 1891, p. 720, *infra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE INDIAN STEAM-SHIPS AND INLAND STEAM-VESSELS ACTS, 1884
(VI AND VII OF 1884).**

Publication of draft rules under the Acts—*concl'd.*

In British Burma.

- (1) The draft rules shall be published twice in (two successive issues of) the local official Gazette, and twice in one English newspaper at each principal seaport.
- (2) Copies shall also be supplied to the Port Officers at Rangoon, Moulmein, Bassein, and Akyab for distribution to masters, owners, and agents of steam-vessels; and the Port Officers shall post in their offices in a conspicuous place a notice that copies are available on application.

[See Gazette of India, 1885, Pt. I, p. 578.]

No. 3028-S., dated the 17th July, 1891.—In accordance with the terms of section 69, sub-section (2), of the Inland Steam-vessels Act, 1884, and section 42, sub-section (2), of the Indian Steam-ships Act, 1884, and in modification of the procedure for the publication of the drafts of rules issued under those Acts prescribed in the Notification in this Department, No. 13383, dated the 7th October, 1885, the Governor General in Council is pleased to declare that drafts of rules framed under section 29 of the former Act and section 36 of the latter Act with respect to the granting of certificates shall be published once in the local official Gazette, and not further or otherwise.

[See Gazette of India, 1891, Pt. I, p. 425.]

Publication of draft rules.

No. 361—3, dated the 17th January, 1910.—In accordance with the terms of section 69, sub-section (2), of the Inland Steam-vessels Act, 1884 (VI of 1884), and section 42, sub-section (2), of the Indian Steam-ships Act, 1884 (VII of 1884), and in modification of the procedure for the publication of the drafts of rules issued under those Acts prescribed in sub-paragraph (1) of the notifications of the Government of India in the Finance and Commerce Department, No. 3383, dated the 7th October, 1885, and in this Department Nos. 8025-2 and 5183-5, dated the 20th September, 1907 and the 16th July, 1909, respectively, the Governor General in Council is pleased to declare that drafts of rules framed under section 21 of the Inland Steam-vessels Act, 1884, and section 24 of the Indian Steam-ships Act, 1884, with respect to the making of surveys, shall be published once in the local Official Gazette and not further or otherwise.

[See Gazette of India, 1910, Pt. I, p. 119.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Application of the Telegraph Act to the Telegraph Cable¹ from Madras.

²No. 264-T., dated the 1st August, 1870.—Under the provisions of section 22 of Act VIII of 1860 (being an Act for regulating the establishment and management of Electric Telegraphs in India), His Excellency the Governor General in Council hereby declares that section 5 and sections 9 to 22, inclusive (with the exception of the concluding sentence of the last-named section) of the said Act, shall be applicable to the Telegraph Cable laid from Madras by the British Indian Extension Telegraph Company, Limited, and to all persons using the same, or employed in connection therewith.

[See Gazette of India, 1870, Pt. I, p. 530.]

Rules for working Telegraph lines of State Railways in India.

²No. 217-T., dated the 13th April, 1874.—The Governor General in Council is pleased, in exercise of the authority conferred on him by the 7th Section of Act VIII of 1860, to sanction the following General Rules for working the telegraph lines of State Railways in India:—

1. The construction, maintenance and repair of the lines shall be vested in the Government Telegraph Department, the officers of which shall be permitted to erect and maintain posts and wires and other appurtenances of a telegraph, within the railway fences, to such an extent as, under the orders of the Director-General of Telegraphs, may be required.

2. The Railway authorities shall allow all officers, inspectors, artificers, workmen and others employed by the Government Telegraph Department in the construction or repair of the lines of telegraph within the railway boundaries, to enter on the railway premises, and shall give such persons all reasonable facilities for travelling, and for transporting material along the lines.

3. The Government Telegraph Department will supply to the authorities of each railway for their exclusive use as many of the wires erected along the railway as the Government of India in the Public Works Department may consider necessary for the proper working of the railway, at a fair rent to be fixed from time to time by the Government.

¹graph lines in British India,
² Local Governments in India.
1885), Genl. Acts, Vol. III.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules for working Telegraph lines of State Railways in India—*contd.*

4. The instruments in the railway offices shall be of a pattern approved by the Government Telegraph Department, which will supply them.

5. The technical inspection of the railway offices, the regulation of the instruments and their repair shall be undertaken by the Government Telegraph Department on payment by each railway of an annual sum, which may be either the actual cost or a lump sum in the way of contract, as may be mutually agreed upon between the Government Telegraph Department and the officers of each railway.

6. The railway offices shall be connected by wire with the offices of the Government Telegraph Department wherever the latter may so desire, and the Railway authorities shall afford all necessary facilities for establishing and maintaining the connection.

7. The telegraph staff of each railway shall be wholly and exclusively controlled and paid by the Railway authorities, but shall be amenable to the penal clauses of the Telegraph Act, No. VIII of 1860, in the same manner as if they were employés of the Government Telegraph Department.

8. Each railway shall work the wires rented to it subject to the general control of the Public Works Department of the Government of India for its own purposes only, excepting so far as is provided by the subsequent conditions.

9. Messages tendered at any railway office for transmission to any part of India, and messages transferred from a Government Telegraph office, or from a Telegraph office of an adjoining railway, shall be received and transmitted by each railway, according to the following rules:—

(a) The system adopted in the Government Telegraph Department in respect of instruments, tariff receipt, transmission and check of messages, and code signals, shall be adopted and strictly followed so far as the Government Telegraph Department may require.

(b) Messages not relating to the business of the Railway shall be received at all its Telegraph offices when open for traffic, and shall be transmitted subject to the requirements of the railway traffic, which in all cases, will have precedence, except in cases specially provided for in clause (l).

(c) Messages tendered at railway offices for transmission to places on the same railway will be sent by the railway wires.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules for working Telegraph lines of State Railways in India—*contd.*

- (d) Messages addressed to stations on a railway, whether State or guaranteed, the telegraph of which is connected with, or immediately adjoins, the receiving State railway, may be transmitted direct to that railway in the following cases:—
- (1) When they are on railway traffic business.
 - (2) When they are on the business of passengers passing from one line to the other.
 - (3) When neither the receiving, nor any intermediate railway office, is connected with the Government Telegraph, either by wire, or by an arrangement for hand delivery.
 - (4) When there would be manifest delay by transferring to the Government line.
- (e) Messages tendered at a railway office for any place not on the railway, shall, except in the cases provided for under the preceding rule, be transferred to the Government Telegraph office connected with the railway office at or nearest to the place at which the message is tendered, or to any such Government Telegraph office where transfer by hand has been mutually agreed upon as more convenient than by wire. Similarly, messages from any place not on the railway, but addressed to a place on the railway at which there is no Government Telegraph office, shall, except in the cases provided for under the preceding rule, be transferred from the Government Telegraph to the Railway Telegraph, at the connected, or other convenient Government Telegraph office, nearest to the place of destination.
- (f) For messages originating at an office of any railway and addressed to a place on the same railway, and delivered to the addressee by the railway, the whole charge will be credited to the railway.
- (g) For all messages which have not passed over the railway lines, and are transferred by a railway receiving office to a Government Telegraph office, for transmission by the Government wires, the railway shall receive one-third of the total charge, and the same proportion shall be received by the Government Telegraph Department for a message subsequently transferred direct from a Government receiving office to a railway office for transmission by the railway wires.
- (h) For messages that pass over the railway lines, and are sent for delivery only to a Government Telegraph office, the Government Telegraph Department will receive

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules for working Telegraph lines of State Railways in India—*contd.*

one-eighth of the total charge, and similarly the same proportion shall be received by the railway for messages that pass over Government lines, and are sent for delivery only to a connected railway office.

- (i) For all messages which pass over the Government wires and the wires of one or more railways, any or each such railway shall be credited with one-fourth of the original charge, the balance being credited to the Government Telegraph Department.
- (j) For all messages which, under clause (d), pass over the wires of two adjoining State Railways or a State Railway, and an adjoining Guaranteed Railway, without being transferred to the Government Telegraph, the proceeds will be divided between the Railway Telegraphs in equal proportions.
- (k) Messages on the Service of the Government Telegraph Department, shall be transmitted, without charge, to, or from, all stations on State Railways.
- (l) Public and State messages shall, as a rule, be sent in order of receipt but a "State" message marked "clear the line" or "precedence" shall, so far as is consistent with the safe-working of the Railway, take precedence of all other messages.
- (m) Copies of all messages, not on the business of the Railway, transmitted from, or addressed to, any State Railway office, shall be regularly forwarded post-paid to the Government Telegraph Check Office under instructions which shall be issued by the Director-General of Telegraphs in India.

10. The Director-General of Telegraphs in India, or any officer deputed by him, may, at any time, inspect any of the Telegraph Offices of the State Railways, or messages sent from, or received at, any of them, and the Railway authorities shall give all facilities for such inspections, and shall submit for inspection any books or accounts connected with the working of the Railway Telegraphs, or any originals or copies of messages sent or received which the Director-General or such officer may require.

[See Gazette of India, 1874, Pt. I, p. 208.]

Applying the rules for working the Telegraph lines of State Railways to certain Railways.

No. 271-T., dated the 8th June, 1875.—The Governor General in Council is pleased, under the authority conferred on him by section 22

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885)

Applying the rules for working the Telegraph lines of State Railways to certain Railways—*contd.*

of Act VIII of 1860 (an Act for the establishment and management of Electric Telegraphs in India) to declare that the general rules for working the telegraph lines of State Railways, published at pages 208 and 209 of the Gazette of India of the 18th April, 1874, shall be applicable to the undermentioned Guaranteed Railway Lines:—

The Oudh and Rohilkhand Railway.

¹ The Scinde, Punjab and Delhi Railway.

² The East Indian Railway.

[See Gazette of India, 1875, Pt. I, p. 321.]

Telephone Exchanges.

No. 195-T., dated the 14th August, 1884.—The Governor General in Council is pleased to prescribe, under section 8 of Telegraph Act I of 1876,^a the following rules, which will come into force on 1st September, 1884:—

TELEPHONE EXCHANGE.

Telegram Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be connected by means of one or more Telephone wires with the Central Government Telegraph office within the limits within which it has been established, to the intent that the subscribers may be enabled to communicate directly with that Telegraph Office; in exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals communicated to a Government Telegraph Office by the subscribers to a Telephone Exchange connected with the Government Telegraph Office or received for transmission to such subscribers, shall be transmitted.

¹ Now the North Western Railway.

² For Notifications applying these rules to other Railways, see the several volumes of rules and orders issued by Local Governments in India. This Notification is kept in force by s. 2 of the Telegraph Act, 1835 (13 of 1835).

^a See now Act 13 of 1835—(Genl. Acts, Vol. III), by section 2 of which this Notification is kept in force.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Telephone Exchanges—*contd.*

¹[2. Any subscriber to a Telephone Exchange connected as aforesaid with a Government Telegraph Office shall be entitled to communicate direct with the Telegraph Office by means of the Telephone Exchange and the connecting Telephone wires on payment to the Director-General of Telegraphs in India (herein referred to as the Director-General) of a yearly sum of one hundred and fifty rupees, which shall be paid in advance not later than the third day of January in each year :

Provided that, if a subscriber desires to institute his direct communication with Telegraph Office on any other date than the first day of January, he shall in respect of the then current year be required to pay in advance a proportionate part only of the said sum of one hundred and fifty rupees.]*

3. When a telegram addressed to such a subscriber as aforesaid (herein referred to as a Telegram Subscriber) is received at the Telegraph Office, it shall at the discretion of the Director-General or his officers either be delivered in the manner provided in the "Rules and Tariff relating to the transmission of telegraph messages in India," made under the Indian Telegraph Act, 1876, and for the time being in force, or be transmitted to the Telegram Subscriber by means of the Telephone Exchange if it can be so transmitted with reasonable speed, and in that case the Telegram Subscriber shall accept such transmission in place of the delivery of the telegram in the manner provided by the aforesaid Rules and Tariff.

4. Telegrams received from a Telegram Subscriber of the Central Telegraph Office by means of the Telephone Exchange shall, at the option of the Telegram Subscriber, be forwarded to their destination by the Government Telegraph, or be forwarded by post as ordinary letters, or, if the address of delivery is within a reasonable distance from the Telegraph Office, by special messenger :

Provided that a Telegram Subscriber shall not be entitled to transmit more than one telegram at a time to the Telegraph Office by means of the Telephone Exchange, nor shall the Telephone Exchange be used for the transmission of press messages.

5. A Telegram Subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph Office by telegraph the same sum for transmission, Prepaid Replies, Postage, Registration

¹ Rule 2 was substituted by Notification No. 289-T., dated 12th July, 1900, see Gazette of India, 1900, Pt. I, p. 435.

* The annual payment of one hundred and fifty rupees to the Director-General is to be in consideration of the services of the Telegraphist attending to the Telephone exchange connection in the Central Telegraph Office and of the other services to be rendered and expenses to be incurred by the Director-General.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Telephone Exchanges—*contd.*

and Express Charges (if any) as would be payable by the sender if the telegram had been handed in at the Central Telegraph Office as an ordinary telegram.

6. A Telegram Subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph Office by post as a letter the ordinary postage payable on the letter.

7. A Telegram Subscriber shall pay to the Director-General in respect of every such telegram delivered from the Telegraph Office by special messenger a sum of two annas if the address of delivery is within the limits of the free ordinary delivery of telegrams from the Telegraph Office, and in all cases the same sum as would be payable for "Express Charges" in respect of an ordinary telegram delivered from the Telegraph Office at the same address.

8. All sums payable by a Telegram Subscriber in respect of telegrams forwarded as aforesaid from the Telegraph Office shall be paid in advance by means of a deposit with the Telegraph Officer in charge of the Telegraph Office, who shall not be required to forward any such telegram unless the sum for the time being in his hands on account of the deposit is sufficient for the payment of the amount payable in respect of the telegram.

9. All accounts in respect of telegrams forwarded or delivered as aforesaid on behalf of a Telegram Subscriber from the Telegraph Office shall be settled monthly up to the first day of each calendar month.

10. A Telegram Subscriber may pay the sum payable by him to the Director-General in accordance with Rule 2 to the Licensees of the Telephone Exchange to which he is a subscriber, as the Agents and on behalf of the Director-General and the receipt of the Licensees shall be a good discharge for any sum so paid.

The said licensees shall act as agents of the Director-General for the purpose aforesaid, and shall receive all sums which may in accordance with the said rule be tendered to them by the subscribers as such agents, and shall pay the same to the Director-General immediately on the receipt thereof or at such other times as may be agreed upon between the Director-General and the licensees.

11. The Secretary of State in Council or the Director-General shall not be subject to any liability by reason or on account of any failure, delay or mistake in or about the transmission, receipt or delivery of any telegram under these rules, whether arising from the default of the licensees or of any officer of the Government Telegraph, or otherwise.

12. If any sum payable under Rule 2 or any other sum which is for the time being due from a Telegram Subscriber under these rules

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Telephone Exchanges—*contd.*

is in arrear or unpaid for twenty-one days after it ought to be paid, the Director-General may by notice in writing debar the subscriber from participating in the advantages of these rules from the date of the service of the notice :

Provided that the fact of a subscriber being debarred from participating in the advantages of these rules shall not affect the right of the Director-General to recover from the subscriber any money which may be in arrear and unpaid.

13. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of Telegraphs within which the Telephone Exchange with which the subscriber's office is connected is situated, and may be served by sending it by post in a registered letter to the subscriber at his office.

¹[14. The licensees of a Telephone Exchange shall maintain a record of all transactions with the Telegraph Office, showing clearly the name of each subscriber placed in communication with the Telegraph Office, the date and time of connection and also the time of disconnection.]

Agency Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be utilized as an agency through which Subscriber's Telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received and delivered by the officers of that Department. In exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals received or deliverable through the agency of any such Telephone Exchange shall be transmitted :—

1. These rules may be called the Agency Subscription Rules, 1884.

2. If a subscriber to a Telephone Exchange desires to employ the Licensees of the Telephone Exchange as his agents through whom his telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received or delivered by the officers of that Department, he shall address the following form of request to the Director-General of Telegraphs in India (herein referred to as the Director-General) :—

“ I hereby request the Director-General of Telegraphs in India, until further notice, to deliver to the
Telephone Exchange Company, Limited, at their Central Telephone

¹ Added by Notification No. 289-T., dated 12th July, 1900, see Gazette of India, 1900, Pt. I, p. 436.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Telephone Exchanges—*contd.*

Exchange situated in the town of
for transmission to me by means of the Telephone Exchange of that
Company, all telegrams addressed to me at
that may be received by means of the Central Govern-
ment Telegraph Office in that town, and to transmit all telegrams received
from the said Company at such Government Telegraph Office as the
Director-General may by order in writing appoint for transmission on
my account; and I hereby agree to pay to the Director-General the sum
of twelve rupees per annum in advance on the
day of _____ in each year for the registration of
special instructions to the effect above mentioned."

Signed _____

3. During the continuance of the period for which such a subscriber as aforesaid (herein referred to as an Agency Subscriber) is registered at the Telegraph Office as desirous of having his telegrams delivered to and received for transmission from, the licensees of the Telephone Exchange to which he is a subscriber, the licensees—

- (a) may receive messages transmitted to a telephone attached to the Exchange from the office of the subscriber and intended to be further transmitted on behalf of the subscriber by means of the Government Telegraphs, and
- (b) may, as the agents of the subscriber, commit the messages to writing on appropriate message forms to be provided by the Director-General, and
- (c) may deliver the forms by messenger at such Government Telegraph Office as the Director-General may by order in writing appoint for that purpose, to the intent that the forms may be transmitted from the office as telegrams.

4. All charges which under the "Rules and Tariff relating to the transmission of telegraph messages in India" made under the Indian Telegraph Act, 1876, and for the time being in force, should be paid by the sender of a telegram, shall be paid by telegraph stamps attached to the message form on which any such message as aforesaid is written before the delivery of the message form at the Telegraph Office.

5. (a) On the delivery by the Director-General at the office of the licensees of a telegram addressed to any agency subscriber, the licensees may transmit the telegram to the subscriber's office by means of their Telephone Exchange.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Telephone Exchanges—*concl'd.*

(b) The time at which the transmission takes place shall be entered on the message form on which the telegram was delivered at the office of the licensees.

(c) All message forms delivered by the Director-General at the office of the licensees on any day shall at the end of the same day be returned by the licensees to the Central Telegraph Office in the town in the order in which they were delivered at the office of the licensees.

6. The licensees shall not retain a copy of any telegram transmitted by or to any of their subscribers under the operation of these rules.

7. In case of any breach, non-performance or non-observance by or on the part of the licensees of any of the stipulations and conditions hereinbefore contained or contained in the aforesaid rules and tariff relating to the transmission of telegraph messages in India, the Director-General may by notice in writing revoke and determine the permission granted under these rules as from the date of the service of the notice.

8. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of the Telegraphs within which the Telephone Exchange of the licensees is situated, and may be served by sending the same by post in a registered letter to the licensees at their office.

[See Gazette of India, 1884, Pt. I, p. 294.]

License for Telephone Exchanges.

No. 203-T., dated 14th August, 1884.—In exercise of the powers conferred by section 4 of the Indian Telegraph Act, 1876 (Act I of 1876), the Governor General of India in Council herein referred to as the Governor General in Council is pleased to grant the following license to the—

Telephone Exchange.—Company (hereinafter referred to as “the Licensees”).

2. The Licensees may establish and maintain Telephones, Telephone Exchanges and open Telephone Offices for a term of—
 —years from the—day—
 —188—, within the following limits, namely (here set out the limits)—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—contd.

3. The Licensees may establish and maintain for that term Telephone wires connecting—

- (a) the Central Exchange of the Licensees with the District Exchanges of the Licensees;
- (b) the Offices of Subscribers within the said limits with a Telephone Exchange of the Licensees;
- (c) the open Telephone Offices of the Licensees with a Telephone Exchange of the Licensees;
- (d) with the permission in writing of the Governor General in Council, a Telephone Exchange of the Licensees with the Office of a Subscriber situated beyond the said limits;
- (e) with the permission in writing of the Director-General of Telegraphs in India, a Telephone Exchange of the Licensees with a Government Telegraph Office within the said limits.

4. When the Licensees have in accordance with the provisions of this license established a Telephone Exchange within the said limits, they may establish, maintain and let on lease for the said term or any part thereof private Telephone wires connecting the office of any person situated within the said limits with another office of the same person or with the office of any other person situated within those limits or, with the permission in writing of the Governor General in Council, with another office of the same person or with the office of any other person situated beyond those limits.

5. The Licensees may use and work the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires and private Telephone wires and suffer the same to be used and worked for the following purposes, namely,—

- (a) for the purpose of enabling Telephone messages to be transmitted direct as follows, namely,—
 - (1) from or to any Subscriber at an office occupied by him, either to or from any other Subscriber at an office occupied by him, or to or from any person at an open Telephone Office,
 - (2) in pursuance of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Telegram Subscriber at an office

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

occupied by him to or from a Government Telegraph Office,

- (3) in pursuance of the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Agency Subscriber at an office occupied by him to or from a Telephone Exchange,
- (4) In the case of private Telephone wires, from or to any lessee of the same at one of the offices with which the private Telephone wire is connected to or from the other of those offices :

Provided that such messages relate only to the business of private affairs of such subscribers or lessees, or one of them ; and

- (b) for the purpose of transmitting in either direction between a Telephone Exchange and any other Telephone Exchange or the Office of any Subscriber or any open Telephone Office or a Government Telegraph Office or between the offices with which a private Telephone wire is connected, service messages relating to the establishment from time to time of Telephonic connections by means of the said Telephone Exchanges or the said private Telephone wire, or to the working or repair of the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires or private Telephone wires.

6. The Licensees shall, within a period of 180 days next following the date on which this license is granted, establish in working order at least one Telephone Exchange within the said limits, and, if they fail so to do, this license shall become revocable by the Governor General in Council.

7. This license shall not confer on the Licensees any right to lay or place any supports, wires or other Telephone apparatus or appliances in or over, upon or under, any land, ground, street, road, harbour, foreshore, river or place within the said limits, but any permission for that purpose required by the Licensees shall be obtained by them at their own expense from the person or persons, body or bodies corporate, legally entitled to grant the same.

8. This license cannot be assigned, transferred or otherwise disposed of, and in the event of any attempt being made on the part of the Licensees to assign, transfer or dispose of the same or of any order being made by any Court for winding up the Company of the Licensees, or of any resolution being passed by the Company of the Licensees requiring it to be wound up voluntarily, or of the dissolution of the Company

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

of the Licensees by any means whatsoever, this license shall *ipso facto* cease and determine.

9. (a) The Governor General in Council may at any time, by twelve months' previous notice in writing, terminating on the

day of 189 , or the day of 189 , signify to the Licensees his intention to purchase the undertaking in respect of which this license is granted.

(b) If any such notice is given, the Licensees shall sell and convey to the Government the said undertaking, including all immoveable property and all rights in, over or in respect of the same, and all plant, material, apparatus and appliances, suitable to and used by them for the purpose of the said undertaking.

(c) The price to be paid by the Governor General in Council for such purchase shall be the then value of the property, rights, plant, material, apparatus and appliances mentioned in clause (b), exclusive of any allowance for past or future profits of the undertaking or good-will, or any compensation for compulsory sale or withdrawal of the present concession or other consideration whatsoever, and shall be determined by two arbitrators—one to be appointed by the Governor General in Council and one by the Licensees, and in a case of a difference of opinion by an umpire, to be appointed by the arbitrators before they enter on the business of the reference.

(d) In the event of any such purchase, the Governor General in Council may revoke the license hereby granted.

10. This license is granted subject to the conditions set forth in the first schedule hereto annexed, and shall be revocable by the Governor General in Council on the breach of any of those conditions.

11. It shall be in the absolute discretion of the Governor General in Council to grant or refuse to the Licensees the privilege of connecting their Telephonic circle with any other circle; but in the event of such privilege being granted the trunk line will in all cases be erected, maintained and owned by the Government and let to the Licensees at such rent and on such conditions as the Governor General in Council may, from time to time, determine.

12. Nothing in this license shall confer upon the Licensees any exclusive right or privilege or prevent the Governor General in Council from doing through his own servants, or granting a license to any other person or body corporate to do, anything which the Licensees are authorized to do by or under this license.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

13. All words and phrases used in this license and in the first schedule hereto annexed shall, unless there is something repugnant in the subject or context, be construed in accordance with the definitions and rules contained in the second schedule hereto annexed.

Secretary to the Government of India,
Public Works Department.

Dated the day of 188 .

FIRST SCHEDULE.

Conditions of the License.

The Licensees shall not establish or maintain any Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires, or private Telephone wires, except as permitted by their license.

2. The Licensees shall not use or work any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire established or maintained by them, or suffer the same to be used or worked, except for the purposes specified in their license.

3. (1) The Licensees shall pay to the Director-General of Telegraphs in India, herein referred to as the Director-General, on account of the *Government of India*, the percentages specified in the 3rd clause of this condition (and hereinafter called royalties) of all sums of money paid or by virtue of any contract payable to them by any subscriber, lessee or other person—

- (a) in respect of the hire, maintenance, working or use of any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire or any part or parts thereof;
- (b) in respect of the right or permission to transmit Telephonic messages by means of any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire; or,
- (c) in respect of any services rendered to a subscriber under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force; or,
- (d) otherwise in respect of Telephonic messages transmitted by means of any Telephone, Telephone Exchange, open Tele-

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).****License for Telephone Exchanges—contd.**

phone Office, Telephone wire or private Telephone wire, or otherwise howsoever in relation to any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire, or any part or parts thereof, established under their license.

(2) The royalties shall be payable whether the sum of money is a gross sum or is payable periodically, or is paid in the shape of a fee for the temporary use of any Telephone Exchange or Telephone by means of an open Telephone Office, or is paid in the shape of rent, for the lease of any private Telephone wire.

(3) The royalties shall be 5 per cent of the gross amount of every sum of money paid or payable to the Licensees as aforesaid, except when that sum is payable wholly or partly in respect of a Telephone wire or private Telephone wire situate partly beyond the limits specified in the license, in which case the royalty shall be 6 per cent.

4. Every royalty payable under the last foregoing condition shall become due so soon as the sum of money in respect of which it is payable, or by the amount of which it is regulated, is paid or is by virtue of any contract payable to the Licensees.

5. (1) The Licensees shall, at all times, keep at their principal office within the limit specified in their license a book or books in which they shall, so far as may be practicable, enter—

- (a) the names, addresses and occupations of all subscribers and lessees for the time being;
- (b) the sums of money from time to time paid, and agreed to be paid, respectively, by those subscribers and lessees or by any other persons in respect of any of the matters specified in condition 3;
- (c) the date at which every such sum of money was paid or became payable;
- (d) the nature of the consideration for payment thereof; and
- (e) all such other particulars as the Director-General may, from time to time, reasonably require.

(2) The Licensees shall preserve at their principal office, as aforesaid, all contracts between the Licensees and subscribers or lessees.

(3) The Licensees shall permit the Director-General and his officers, from time to time, and at all reasonable times, to inspect the said book or books and contracts, and to make copies thereof and extracts therefrom.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

License for Telephone Exchanges—*contd.*

6. The Licensees shall, within seven days after the expiration of every calendar month, render to the Director-General a statement in writing showing—

- (a) the amounts of all sums of money which, during the month, have been paid, or become payable, by subscribers or lessees or other persons;
- (b) the names, so far as may be practicable, of the subscribers or lessees or other persons in each case;
- (c) the date on which every such sum of money was paid, or became payable;
- (d) the nature of the consideration for the payment thereof; and
- (e) such further particulars as the Director-General may, from time to time, reasonably require.

7. (1) All accounts between the Director-General and the Licensees relating to the royalties payable hereunder shall be settled quarterly up to the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December in every year.

(2) The accounts for each quarter of a year shall be rendered by the Licensees to the Director-General within fourteen days after the expiration of the quarter.

(3) The balance due to the Director-General in respect of any quarter of a year shall be paid by the Company to the Director-General within twenty-eight days after the expiration of that quarter.

8. If a Telephone Exchange of the Licensees is, with the permission of the Director-General, connected with a Government Telegraph Office, for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876,—

- (a) the wires and apparatus by means of which the Telephone Exchange is connected with the Telegraph Office, including the instruments placed in the Telegraph Office, and all wires and apparatus either in substitution therefor or in addition thereto by which connection is, for the time being, made, shall be maintained by the Licensees at their own cost; and
- (b) the wires and apparatus shall be appropriated for the exclusive use of the Director-General, but shall remain the property of the Licensees, and shall at all times be maintained in efficient working order by the Licensees:

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).****License for Telephone Exchanges—*contd.***

Provided that, if in the opinion of the Director-General or any of his officers the wires and apparatus are or become insufficient for the due and expeditious transmission of the communications sent to or from the subscribers, the Licensees shall, after receiving a notice in writing from the Director-General so to do, forthwith erect and appropriate in the manner aforesaid such additional wires and apparatus between the Telegraph Office and the Telephone Exchange as the Director-General or his officers may deem necessary and as may be specified in such notice, and such wires and apparatus shall be erected in such a manner as the Director-General or his officers direct and approve of.

9. The Licensees shall, in the event of any of their Telephone Exchanges being connected with a Government Telegraph Office for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force, and duly account for all money received under the same on account of the *Government*.

10. The Licensees shall, in the event of any of their Telephone Exchanges being utilized as an agency for the receipt and delivery of subscribers' telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force.

11. Except messages intended for transmission, or that have been transmitted over the Government Telegraph wires, under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, no written message or messages other than oral shall be collected or delivered at any Telephone Exchange or Office of the Licensees, or at the office of any subscriber or lessee.

12. No money or other valuable consideration shall, in respect of the receipt, transmission or delivery of any Telephonic message by means of any Telephone Exchange or private Telephone wire established hereunder, be, or be promised to be, paid or given to any subscriber or lessee by any person whomsoever, whether a subscriber, lessee or not.

13. The Licensees shall, in every agreement with a subscriber or lessee, make due provision for the observance of the two last foregoing conditions, and reserve to themselves the fullest discretion to rescind the agreement on any infringement by the subscriber or lessee of either of those conditions.

14. (1) The Licensees shall, seven days at least before connecting the office of any subscriber or intending subscriber with any Telephone Exchange, or an office of any lessee or intending lessee with another office of that lessee or with the office of any other person within the

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

limits specified in their license, deliver a notice in writing of their intention so to do at the office of the Director-General, or to such officer as the Director-General may appoint to receive the notice.

(2) The notice shall contain—

- (a) the name, address and occupation of the subscriber or lessee, or intending subscriber or lessee, to whom the notice relates;
- (b) a copy of the engagement and condition entered into and agreed to by the subscriber or lessee under the last foregoing condition; and
- (c) full particulars of the situation of the office or intended office to which the notice relates, and of the line or route in which it is intended to lay the Telephone wire or wires for establishing the connection, and of the manner in which, and the houses and buildings (if any) on or by means of which, it is intended that such wire or wires shall be supported.

(3) Notwithstanding anything in the foregoing portion of this condition, the Director-General may at his discretion grant permission for the connection to be established within a less period than seven days.

15. The posts and other Telephonic apparatus and appliances of the Licensees shall be *so erected* and placed as not to interfere with the convenient erection, maintenance or use of, or to expose to risk of damage, any posts, wires or other Telegraphic or Telephonic apparatus or appliances under the charge of the Director-General which may, from time to time, exist, or any posts, wires or other Telegraphic or Telephonic apparatus or appliances which it is probable that he may have occasion to erect; and accordingly no posts, wires or other Telephonic apparatus or appliances shall be erected, fixed or placed by the Licensees, in pursuance of any such notice as aforesaid or otherwise, without the approval or consent, in writing, of the Director-General or an officer authorized by him in that behalf.

16. In the event of any posts, wires or other Telephonic apparatus or appliances of the Licensees which may already have been erected or placed with the consent of the Director-General interfering with the erection or placing of any posts, wires or other Telegraphic or Telephonic apparatus or appliances which the Director-General may, during the continuance of the said license, have occasion to erect, the Licensees shall, within thirty days after written notice has been given at their principal office situated within the limits specified in their license, remove such posts, wires or other Telephonic apparatus or appliances.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).****License for Telephone Exchanges—contd.**

to another situation approved by the Director-General; and the reasonable expenses incurred by the Licensees in the removal shall be reimbursed by the Director-General.

17. In case any Telephone wire or wires of the Licensees shall, by reason of the neglect of the Licensees to maintain the same properly fixed and in good repair, or from any other cause whatever, interfere with the working of, or damage, any Telegraph or Telephone wire or wires under the charge of the Director-General, any officer generally or specially empowered by the Director-General in this behalf may, if the Licensees do not forthwith remove their said Telephone wire or wires, or sufficiently repair and refix such wire or wires to his satisfaction, so as to prevent any further interference with, or damage to, the wires under the charge of the Director-General, or if for any other reason he thinks it necessary for the public service, remove or repair and refix such wire or wires of the Licensees as aforesaid; and the Licensees shall on demand pay to the Director-General the cost of refixing and repairing the Telegraph or Telephone wire or wires under the charge of the Director-General which shall have been interfered with, or damaged, as aforesaid, and the cost of any removal or repair and refixing by such officer of their said wire or wires.

18. The Director-General and his officers and agents may, from time to time, and at all reasonable times, enter on any office of the Licensees and, so far as the Licensees can give permission, on any subscriber's or lessee's office, for the purpose of inspecting the Telephones and other Telephonic instruments and appliances fixed in those places.

19. The Licensees shall not move their Telephone Exchanges without the previous consent in writing of the Director-General.

SECOND SCHEDULE.*Interpretation.*

(1) "Subscribers" means those companies, firms and persons from whom the Licensees receive subscriptions, and with whom they enter into contracts in relation to connecting their offices by means of Telephone wires with a Telephone Exchange.

(2) "Lessees" means those companies, firms and persons, whether subscribers or not, to whom the Licensees lease any private Telephone wires established by them.

(3) "Office," whether used with reference to the licensees, a subscriber, a lessee or any other person, includes any house, warehouse, factory, building, vessel or place occupied by the licensees, subscriber, lessee or other person.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

License for Telephone Exchanges—*contd.*

(4) "Telephone" includes any apparatus by means of which any articulate sounds can be conveyed to a distance by the agency of electricity, galvanism or magnetism.

(5) "Telephone wire" includes any metallic connection between two Telephones or between one Telephone and a Telephone Exchange.

(6) "Telephone Exchange" means any contrivance, instrument, apparatus or appliance to which two or more "Telephone wires" may be attached, and which is used for the purpose of temporarily establishing from time to time, as occasion may require, a direct connection between any two of such Telephone wires, and includes a "Central Telephone Exchange" and a "District Telephone Exchange."

(7) "Central Telephone Exchange" means either the only Telephone Exchange belonging to the licensees within the limits specified in their license, or, if more than one Telephone Exchange is established by the Licensees within those limits, the central or principal apparatus with which one or more District Telephone Exchanges may be connected.

(8) "District Telephone Exchange" means a Telephone Exchange other than a Central Telephone Exchange with which two or more subscribers' offices are connected by means of Telephone wires and which itself is connected by means of one or more Telephone wires with a central exchange or with another district exchange.

(9) "Open Telephone Office" means any building or place in or to which may be contained or attached a Telephone which is connected by means of one or more Telephone wires with a Telephone Exchange, and which may be used by persons other than those hereinbefore described as "subscribers," for communication with subscribers, and may also be used by subscribers for communication with other subscribers.

(10) "Private Telephone wire" means a "Telephone wire" connecting the office of one person with the office of another person or one office of a person with another office belonging to the same person, without being itself connected with a "Telephone Exchange"; and

(11) A Telephone Exchange shall not be deemed to have been "established" until not less than ten companies, firms or persons have severally paid to the Licensees a sum of money in respect of the use of the Licensees' exchange for a period of not less than twelve calendar months.

TELEPHONE EXCHANGE.

Telegram Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be connected by means of one

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

License for Telephone Exchanges—*contd.*

or more Telephone wires with a Telephone Exchange, or more Telephone wires with the Central Government Telegraph Office within the limits within which it has been established, to the intent that the subscribers may be enabled to communicate directly with that Telegraph Office; In exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals communicated to a Government Telegraph office by the subscribers to a Telephone Exchange connected with a Government Telegraph office, or received for transmission to such subscribers, shall be transmitted:—

1. These rules may be called the Telegram Subscription Rules, 1884.

2. Any subscriber to a Telephone Exchange connected as aforesaid with a Government Telegraph office shall be entitled to communicate direct with the Telegraph office by means of the Telephone Exchange and the connecting Telephone wires on payment to the Director-General of Telegraphs in India (herein referred to as the Director-General) of a yearly sum of sixty rupees, which shall be paid in advance on the first day of January in each year:

Provided that, if a subscriber desires to institute his direct communication with the Telegraph office on any other than the first day of January, he shall in respect of the then current year be required to pay in advance a proportionate part only of the said sum of sixty rupees.¹

3. When a telegram addressed to such a subscriber as aforesaid (herein referred to as a telegram subscriber) is received at the Telegraph office, it shall at the discretion of the Director-General or his officers either be delivered in the manner provided in the "Rules and Tariff relating to the transmission of Telegraph Messages in India," made under the Indian Telegraph Act, 1876, and for the time being in force, or be transmitted to the telegram subscriber by means of the Telephone Exchange if it can be so transmitted with reasonable speed, and in that case the telegram subscriber shall accept such transmission in place of the delivery of the telegram in the manner provided by the aforesaid Rules and Tariff.

4. Telegrams received from a telegram subscriber at the central Telegraph office by means of the Telephone Exchange shall, at the option of the telegram subscriber, be forwarded to their destination by the

¹ The annual payment of a telegram subscriber to the Director-General for the use of the services of the Central Telegraph Office shall be calculated on the basis of the rates of telegrams in the Central Telegraph Office, and shall be paid in the manner provided in the Rules and Tariff.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

Government Telegraph or be forwarded by post as ordinary letters, or, if the address of delivery is within a reasonable distance from the Telegraph office, by special messenger:

Provided that a telegram subscriber shall not be entitled to transmit more than one telegram at a time to the Telegraph office by means of the Telephone Exchange, nor shall the Telephone Exchange be used for the transmission of press messages.

5. A telegram subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph Office by telegraph the same sum for transmission, Prepaid Replies, Postage, Registration and Express Charges (if any) as would be payable by the sender if the telegram had been handed in at the Central Telegraph Office as an ordinary telegram.

6. A telegram subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph office by post as a letter the ordinary postage payable on the letter.

7. A telegram subscriber shall pay to the Director-General in respect of every such telegram delivered from the Telegraph office by special messenger a sum of two annas if the address of delivery is within the limits of the free ordinary delivery of telegrams from the Telegraph office, and in all cases the same sum as would be payable for "Express Charges" in respect of an ordinary telegram delivered from the Telegraph office at the same address.

8. All sums payable by a telegram subscriber in respect of telegrams forwarded as aforesaid from the Telegraph office shall be paid in advance by means of a deposit with the Telegraph officer in charge of the Telegraph office, who shall not be required to forward any such telegram unless the sum for the time being in his hands on account of the deposit is sufficient for the payment of the amount payable in respect of the telegram.

9. All accounts in respect of telegrams forwarded or delivered as aforesaid on behalf of a telegram subscriber from the Telegraph office shall be settled monthly up to the first day of each calendar month.

10. A telegram subscriber may pay the sum payable by him to the Director-General in accordance with Rule 2 to the Licensees on the Telephone Exchange to which he is a subscriber, as the agents and on behalf of the Director-General, and the receipt of the Licensees shall be a good discharge for any sum so paid.

The said Licensees shall act as agents of the Director-General for the purpose aforesaid, and shall receive all sums which may in accordance with the said rule be tendered to them by the subscribers as such agents, and shall pay the same to the Director-General immediately on the receipt

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

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thereof or at such other times as may be agreed upon between the Director-General and the Licensees.

11. The Secretary of State in Council or the Director-General shall not be subject to any liability by reason or on account of any delivery of delay or mistake in or about the transmission, receipt or delivery of any telegram under these rules, whether arising from the default of the Licensees or of any officer of the Government Telegraph, or otherwise.

12. If any sum payable under Rule 2 or any other money which is for the time being due from a telegram subscriber under these rules is in arrear or unpaid for twenty-one days after it ought to be paid, the Director-General may by notice in writing debar the subscriber from participating in the advantages of these rules from the date of the service of the notice:

Provided that the fact of a subscriber being debarred from participating in the advantages of these rules shall not affect the right of the Director-General to recover from the subscriber any money which may be in arrear and unpaid:

13. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of Telegraphs within which the Telephone Exchange with which the subscriber's office is connected is situated, and may be served by sending it by post in a registered letter to the subscriber at his office.

TELEPHONE EXCHANGE.

Agency Subscription Rules.

Whereas a Telephone exchange may, with the permission of the Director-General of Telegraphs in India, be utilized as an agency through which subscribers' Telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received and delivered by the officers of that Department; In exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1870, the Governor General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals received or deliverable through the agency of any such Telephone exchange shall be transmitted:—

1. These rules may be called the Agency Subscription Rules, 1884.

2. If a subscriber to a Telephone exchange desires to employ the licensees of the Telephone exchange as his agents through whom his Telegrams intended for transmission or transmitted over the wires of

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*contd.*

the Government Telegraph Department may be received or delivered by the officers of that Department, he shall address the following form of request to the Director-General of Telegraphs in India (herein referred to as the Director-General):—

“ I hereby request the Director-General of Telegraphs in India, until further notice, to deliver to the Telephone Exchange Company, Limited, at their central Telephone exchange situated in the town of _____ for transmission to me by means of the Telephone exchange of that Company, all Telegrams addressed to me at _____ that may be received by means of the central Government Telegraph office in that town, and to transmit all Telegrams received from the said Company at such Government Telegraph office as the Director-General may by order in writing appoint for transmission on my account; and I hereby agree to pay to the Director-General the sum of twelve rupees per annum in advance on the _____ day of _____ in each year for the registration of special instructions to the effect above-mentioned.”

3. During the continuance of the period for which such a subscriber as aforesaid (herein referred to as an Agency subscriber) is registered at the Telegraph office as desirous of having his Telegrams delivered to, and received for transmission from, the Licensees of the Telephone exchange to which he is a subscriber, the Licensees—

- (a) may receive messages transmitted to a Telephone attached to the exchange from the office of the subscriber and intended to be further transmitted on behalf of the subscriber by means of the Government Telegraphs, and
- (b) may as the agents of the subscriber commit the messages to writing on appropriate message forms to be provided by the Director-General, and
- (c) may deliver the forms by messenger at such Government Telegraph office, as the Director-General may by order in writing appoint for that purpose, to the intent that the forms may be transmitted from the office as Telegrams.

4. All charges which under the “ Rules and Tariff relating to the transmission of Telegraph messages in India ” made under the Indian Telegraph Act, 1876, and for the time being in force, should be paid by the sender of a Telegram shall be paid by Telegraph stamps attached to the message form on which any such message as aforesaid is written before the delivery of the message form at the Telegraph office.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

License for Telephone Exchanges—*concl'd.*

5. (a) On the delivery by the Director-General at the office of the Licensees of a Telegram addressed to any Agency subscriber, the Licensees may transmit the Telegram to the subscriber's office by means of their Telephone exchange.

(b) The time at which the transmission takes place shall be entered on the message form on which the Telegram was delivered at the office of the Licensees.

(c) All message forms delivered by the Director-General at the office of the Licensees on any day shall at the end of the same day be returned by the Licensees to the central Telegraph office in the town in the order in which they were delivered at the office of the Licensees.

6. The Licensees shall not retain a copy of any telegram transmitted by or to any of their subscribers under the operation of these Rules.

7. In case of any breach, non-performance or non-observance by or on the part of the Licensees of any of the stipulations and conditions hereinbefore contained or contained in the aforesaid Rules and Tariff relating to the transmission of Telegraph messages in India, the Director-General may by notice in writing revoke and determine the permission granted under these Rules as from the date of the service of the notice.

8. Any notice to be given by the Director-General under these Rules may be signed by the Chief Officer of the Division of the Telegraphs within which the Telephone exchange of the Licensees is situated, and may be served by sending the same by post in a registered letter to the Licensees at their office.

[See Gazette of India, Supplement, 1884, p. 1181.]

Rules as to Inland and Foreign Telegrams.

No. 6975—137, dated the 16th September, 1909.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), and in supersession of all existing notifications under that Act, the Governor General in Council is pleased to order the following rules and orders to have effect from the 1st October, 1909:—

SECTION I.

GENERAL.

1. *Telegraph Offices in India* are distinguished as follows:—

(a) *Government Telegraph Offices.*—These include the Telegraph Departmental Offices and Postal Combined Offices.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

(b) *Licensed Telegraph Offices.*—These include Canal Offices, State Railway Offices, and Railway Offices not the property of the State, all of which are licensed for working under section 4 of the Indian Telegraph Act, 1885 (XIII of 1885).

2. *Business Hours.*—Subject to the provisions of Rules 3, 63 and 130, telegrams are accepted at all Government Telegraph Offices during the hours noted against them in the List of Offices published in the *Telegraph Guide*.

II. Railway Telegraph Offices accept telegrams during the hours for which they are open for Railway business, but always subject to the necessities of Railway Traffic. These hours are notified in the *Telegraph Guide*.

III. Canal Offices are open according to the hours notified in the *Telegraph Guide*.

¹[3. An Express telegram will be accepted during the hours when an office is closed, if the terminal office is opened or its attention can be gained, on the payment of an extra fee. If both the offices of origin and destination are closed, the extra fee shall be two rupees, but if only one of them is closed, one rupee. The fees will be paid to the telegraphists in the closed offices. When several telegrams are handed in together by the same person at an office which is closed, a single fee only will be payable in respect to that office. If a telegraphist is called up to send a telegram, and it subsequently appears that it cannot be despatched, the person desiring to send it must nevertheless pay the fee of one rupee.

Exception.—At places where there is more than one telegraph office, only one will ordinarily be available for use by the public during closed hours. The other telegraph offices at such a place will not accept telegrams for despatch, even on payment of extra fees, but will exhibit a notice outside the office directing intending senders of telegrams to the nearest open telegraph office, or if there is no open telegraph office, to the nearest telegraph office which is available for the despatch of telegrams on payment of extra fees.]

4. *Telegram forms*, unbound and in reasonable numbers, are supplied free at all Telegraph and Post Offices. (See also notes to Rules 9 and 151.)

¹ Substituted by Notification No. 5809—153, dated 20th August, 1910. see Gazette of India, 1910, Pt. I, p. 791.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegraphs—*contd.*

5. *Translation of telegrams.*—At Telegraph Offices in places other than the Presidency-towns and Rangoon, every assistance possible is to be afforded to ¹[the public] in the translation of their telegrams into *English*, and of telegrams in *English* addressed to them into the vernacular. ²[No fee for this service may be claimed or given.]

6. *Complaints.*—All complaints should be addressed to the ³[*Director-General of Telegraphs, Traffic Branch, Calcutta*].

SECTION II.

RULES FOR INLAND TELEGRAMS.

GENERAL.

7. *Inland telegrams* are those which are sent to, or received from, places within Indian limits. Such telegrams are subject to the regulations laid down from time to time by the Government of India.

8. *The accuracy of telegrams is not guaranteed*, and the Sender and Receiver must accept all risks arising from non-delivery, errors, or delays.

9. *Legibility and forms.*—To secure accuracy and rapidity of transmission, Senders of telegrams are advised to write them in a clear and unmistakable hand and on the proper forms, which can be obtained free of charge at all Telegraph and Post Offices (Rule 4). Telegrams written on plain paper are, however, accepted at all Offices.

NOTE.—Books containing 100 forms for Inland telegrams can be purchased at the principal Government Telegraph Offices; price with counterfoils two annas, and without counterfoils one anna each.

10. *Offices where Inland Telegrams are accepted.*—Inland telegrams are accepted at all Telegraph Offices and Post Offices in India, except at some Branch Post Offices. They are also accepted under certain conditions at Military Field Telegraph Offices.

11. *Postal Combined Offices* are Postal Telegraph Offices in Telegraph connection with other Telegraph Offices ⁴[or Post Offices which receive inland telegrams and despatch them by telegraph messenger without

¹ Substituted by Notification No. 4294—95, dated the 8th June, 1912, see *Gazette of India*, 1912, Pt. I, p. 636.

² Added by Notification No. 1932—151, dated the 11th March, 1911, see *Gazette of India*, 1911, Pt. I, p. 193.

³ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see *Gazette of India*, 1910, Pt. I, p. 321.

⁴ Added by Notification No. 6370-114, dated the 9th August, 1913, see *Gazette of India*, 1913, Pt. I, p. 751.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd.

additional charge to the nearest Telegraph Office for onward transmission].

12. *Postal Receiving Offices* are Post Offices which are not in telegraph connection with Telegraph Offices, but which receive Inland telegrams and despatch them by post to a Telegraph Office. Such telegrams are sent Registered and postage-free by first post.

13. *Inland telegrams may be also posted by the Sender to the nearest Telegraph Office*, together with postage stamps sufficient for their payment, and in this case a receipt for the amount will be returned postage-free to the Sender. In the case of a telegram sent by post to a Telegraph Office, under the preceding or this rule, with stamps of insufficient value, the deficiency will be recovered from the Addressee (Rule 72).

14. *Licensed Offices*.—All paid telegrams, except Press (Rule 135), can be sent from any Government Telegraph Office to any Licensed Telegraph Office which is open for paid traffic (Section VI of the *Telegraph Guide*), or *vice versâ*, without additional charge.

15. *Objectionable telegrams*.—Telegraph Offices are required to refuse to accept any telegram which may be of a decidedly objectionable or alarming character. Should the character of a telegram be open to doubt, the matter shall be referred to a Secretary to Government if the telegram be tendered at a seat of Government, or to the chief Civil or Military Officer if tendered at another place.

16. *General Division*.—Inland telegrams are divided into four classes:—

- (a) State (or Government) telegrams (Rules 36 to 42).
- (b) Service telegrams (Rules 43 to 46).
- (c) Private telegrams.
- (d) Press telegrams (Rules 129 to 136).

All these telegrams are transmitted according to their classification, *Express* or *Ordinary* (see Rules 61, 62 and 129), and in the order in which tendered.

MODE OF WRITING, ETC.

17. *Characters*.—Inland telegrams must be legibly written in characters which have their equivalents in telegraphic signals. These characters or signals are the following:—

(a) *Letters*.

A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

The combination "ch" counts as one character of the Morse Alphabet, except in Code and Letter Cipher [Rules 17 (d) and 37] when it counts as two.

(b) *Figures.*

1, 2, 3, 4, 5, 6, 7, 8, 9, 0.

There are no telegraphic signals for Roman numerals, such as I, II, etc.

(c) *Stops and other signs.*

Full-stop (.), Comma (,), Semicolon (;), Colon (:), Note of interrogation (?), Note of exclamation (!), Apostrophe ('), Hyphen or dash (-), Brackets or sign of a parenthesis (), Inverted commas (" "), Bars of division (/) or (—), Underline.

(d) *Special Instructions and Conventional signs.*

(See Rules 21 to 23.)

Abbreviated Form	English meaning.
BPD . . .	Post paid (Rule 80).
BPDN . . .	Post paid (Rule 80).
Reply paid . . .	Reply paid (Rule 80).
TC . . .	of Receipt (Rule 106).
PC . . .	of Receipt (Rule 106).
Express . . .	of Receipt (Rule 106).
XP . . .	of Receipt (Rule 106).
XP R— . . .	of Receipt (Rule 106).
Post . . .	of Receipt (Rule 106).
PR . . .	of Receipt (Rule 106).
Open . . .	of Receipt (Rule 106).
MP . . .	of Receipt (Rule 106).
MTF . . .	f (Rule 80).
TR . . .	f (Rule 80).
GP . . .	f (Rule 80).
CTA . . .	COMMUNICATE BY ADDRESS.

¹ Substituted by Notification No. 5451—142, dated the 6th August, 1910, see Gazette of India, 1910, Pt. I, p. 759.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

18. *Language, etc.*—The text of Private telegrams may be in plain language, in Code language, or in Figure Cipher, or partly in one and partly in the other. Letter Cipher is not admitted in Private telegrams.

(a) *Plain Language* is that which offers an intelligible sense in English, or in any foreign language, or in any of the Vernacular languages subject to the conditions of Rule 17.

(b) By "*Telegrams in Plain language*" is understood those of which the text is written entirely in Plain language. Nevertheless, the presence of Code addresses, Exchange quotations, commercial marks, letters representing the signals of the International Code of Signals employed in maritime telegrams, of abbreviated expressions currently used in ordinary or commercial correspondence such as *rsvp.*, *fob*, *cf*, *cif*, *caf*, *svp.*, *c/o.*, *b/l.*, *mo.*, *vpp.*, *am.*, *pm.*, *%*, or any other analogous expressions, the meaning of which is understood at the office of origin, does not alter the character of a telegram in Plain language.

¹(c) If in telegrams in which the text is written entirely in plain language, any single word or authorised compound contains more than 15 characters according to the Morse alphabet, the excess is counted separately as one word.

¹(d) *Code language* is that which is composed of words which do not form intelligible phrases in one or more of the languages authorised for telegraphic correspondence in Plain language. The words, whether genuine or artificial, must be formed of syllables capable of pronunciation according to the current usage of one of the following languages: *English, French, German, Italian, Dutch, Spanish, Portuguese or Latin*. Artificial words must not contain the accented letters ä, á, a^o, é, ñ, ö, ü. Genuine vernacular words are also admissible.

¹(e) Words in Code language must not contain more than ten characters according to the Morse alphabet (Rule 17), the combinations *ae*, *aa*, *ao*, *oe*, *uo*, being counted as two letters each. The combination "*ch*" is also counted as two letters in artificial words.

¹(f) Combinations which do not fulfil the conditions of clauses ¹(d) and ¹(e) are not admitted, neither are compounds composed of two or more words in plain language contrary to the usage of the language. (See also Rule 51 *et seq.*)

¹(g) *Figure Cipher language* is that which is composed either of Arabic figures or of groups or series of Arabic figures having a secret meaning.

¹ Transferred and relettered by Notification No. 4294—95, dated the 8th June, 1912, see Gazette of India, 1912, Pt. I, p. 636.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

¹[MIXED TELEGRAMS.]

(h) Words in Plain language inserted in the text of a mixed telegram, *i.e.*, a telegram composed of words in Plain language and words in Code language, must not contain more than ten characters according to the Morse alphabet, and any excess is counted separately as one word in each case.

(i) If the mixed telegram contains, in addition, Cipher language, the passages in Cipher are counted according to the stipulations of Rule 55.

(j) If the mixed telegram is composed only of passages in Plain language and of passages in Cipher language, the passages in Plain language are counted according to the stipulations of clause ¹(c), and the passages in Cipher language according to those of Rule 55.

(k) The Address or Sender's name in telegrams of which the text is written wholly or partly in Code language is charged according to the stipulations of Rule 53 and clause ¹(c).

(l) Registered Abbreviated Addresses are treated as Plain language [clause ¹(c)] when occurring in the *Address* or as the *Sender's name* in both Plain and Code language telegrams and also in the text as Plain language telegrams. When in the *text* of a Code language telegram, they are treated according to clause (h).

19. *Erasures, etc.*—Every interlineation or insertion, reference, erasure, or re-written word must be authenticated by the Sender or by his representative.

20. *Parts of a telegram.*—The different parts forming an Inland telegram should be written in the following order:—

(a) The Address (Rules 24—32).

(b) The Text.

(c) The Sender's name (Rule 33).

21. *Special Instructions.*—The Sender should write upon the form, in the space provided, his instructions regarding prepayment of reply, if any. Other instructions regarding delivery at destination, acknowledgment of receipt, collation (or repetition), open delivery, or delivery only to the Addressee himself, etc., may be written in any blank space at the end of the text of the telegram (but see Rules 116, 119 and 120).

22. In the case of a Multiple telegram, the Special Instructions which concern each Addressee should be written, immediately before

¹ This heading was inserted and these alterations made by Notification No. 4294—85, dated the 8th June, 1912, see Gazette of India, 1912, Pt. I, p. 636.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

his name; but in the case of a Collated Multiple telegram, it is sufficient if the Special Instruction for Collation precedes the first Address.

23. Special Instructions may be written in the abbreviated forms given in Rule 17 (*d*). In this case the counter clerk should place each of them between double dashes, thus=T. C.=. The Special Instructions are not charged for.

¹24. *Address.*—Every address must contain at least two words, the first designating the Addressee, the second indicating the name of the Telegraph office of destination (or the office to which the telegram is to be transmitted). The name of the office of destination is counted as one word, irrespective of the actual number of words and initials which it may contain [Rule 53 (*a*)]. For instance, "Basin Bridge Junction M.S.M." will count as one word. Care should be taken that the office to which the telegram is to be transmitted is written as given in the list of Telegraph offices published in the *Telegraph Guide* (Section VI), but the letters, names of districts and provinces printed in italics after the names of offices need not be given.

25. The Address must contain all the particulars necessary to ensure the delivery of the telegram without search or inquiry.

26. For large towns the name of the street and the number of the house must be given, or, in the absence of these particulars, the profession of the Addressee or any other relevant information.

27. Even for small towns the name of the Addressee must, if possible, be accompanied by additional particulars to guide the office of destination in effecting delivery.

28. When a telegram is addressed to one person care of another, the Address must contain immediately after the name of the real Addressee the words "care of," "C/o" or any other equivalent.

29. *Insufficient Address.*—Telegrams the Addresses of which do not satisfy the conditions laid down in the preceding rules are nevertheless accepted and transmitted at the Sender's risk.

30. In all cases the Sender has to bear the consequence of an insufficient Address which, after the telegram has been despatched, can neither be completed nor altered, except by a paid Service Advice (Rule 44).

31. *Abbreviated Addresses.*—The Addressee's name and Address may be written in an abbreviated form. But the right of an Addressee to have a telegram thus addressed delivered to him, is subject to an arrangement made between such Addressee and the Telegraph Office which has to deliver the telegram.

¹ Substituted by Notification No. 7040—121, dated the 30th August, 1913, see Gazette of India, 1913, Pt. I, p. 823.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

32. Abbreviated Addresses may be registered under the following conditions:—

(1) Application for the registration of such addresses should be made to the officer in charge of the Telegraph Office at which it is proposed to register an address. The Telegraph Department cannot arrange for the registration of an address at any place in a foreign country.

(2) No address may consist of more than one word in addition to the name of the town where registration is effected.

(3) The word should contain not more than ten letters, and should be easy to read and easy to telegraph. Proper names can only in rare cases be accepted, and in no case can a proper name be registered for a person of a different name.

(4) The names of professions, trades, countries, states, towns, telegraph stations, well-known streets and registered newspapers may not be used as registered addresses.

(5) Numbers may not be registered.

(6) To prevent inconvenience to the public, the Telegraph Department has to reject words which either in writing or in telegraph symbols so closely resemble other registered words as to be liable to be mistaken for them. It is desirable, therefore, that any application should not merely offer one word for acceptance, but should give several words from which a selection may be made.

(7) No address may be registered in one town for the delivery of telegrams in another town.

(8) A registered address is available for telegrams from other countries, as well as for Inland telegrams.

(9) The Telegraph Department reserves to itself the right to cancel an address. In such a case a part of the registration fee, proportionate to the unexpired period, is returned, or a new address may be substituted free of charge for the one cancelled.

(10) In the event of a change in the title of a firm for which an address is recorded, the consent, in writing, of all the partners of the firm must be produced before the records can be altered.

¹[(11) The fee for the registration of an abbreviated address, which should be paid to the officer in charge of the Telegraph Office at which registration is effected, is Rs. 10 yearly, or Rs. 5 half-yearly, payable in advance. When, however, a number of abbreviated addresses are

¹ Substituted by Notification No. 7429-153, dated 25th October, 1909, see Gazette of India, 1909, Pt. I, p. 1033.

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registered by a single firm, either at the same Telegraph Office, or at different Telegraph Offices, the fee for registration is—

	Rs.
For the first ten abbreviated addresses . . .	10 each.
For the second ten abbreviated addresses . . .	5 each.
For each subsequent abbreviated address . . .	3 each.

[(12) An additional fee, equal to half the registration fee, is charged for every change of the word selected or for every transfer to another Telegraph Office, within the period of registration, but not for change of residence within the delivery limits of the registering office, or for change of name or title of firm or person, so long as the identity is the same [*see* Condition (10)] and it is not a case of transfer from one firm to another; if it is a case of such transfer, the full fees are charged.]

(13) The Telegraph Department accepts no responsibility in respect of the delivery of any telegram having an Abbreviated Address if such address has not been registered, or for delay in delivering such telegram. Registration is essential in all cases of persons who frequently receive telegrams addressed to them by an abbreviated name, and Telegraph officials can decline to deliver such telegrams if, after notice has been given, the address has not been registered.

33. *Sender's name or designation.*—The Sender's name or designation may be in an abbreviated form in customary use, or may be replaced by a registered address, or may be omitted altogether.

34. *Text.*—No Private telegram, or series of telegrams, containing more than five hundred words, can be sent at any one time by any individual or firm, and no subsequent telegram by the same individual or firm till after the lapse of three hours, unless the telegraph lines be free of all other traffic. Regarding the length of Press telegrams, *see* Rule 131 (8).

35. *Signature.*—The true Signature and Address of the Sender (which are not charged for or transmitted) must always be written at the foot of the telegram. The Sender of a Private telegram can always be called upon to prove that the signature attached to it is genuine. In the case of telegrams from a mercantile firm, if the name of the firm is written, it will be accepted, but if stamped, it must be attested by the signature, or initials, of a responsible member of the firm.

¹ Substituted by Notification No. 7429—153, dated 25th October, 1909, *see* Gazette of India, 1909, Pt. I, p. 1083.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd.

STATE TELEGRAMS.

36. *Definition.*—A State telegram is a telegram sent by an official of the British Government on British Government business.

Municipal Commissioners and the officials and servants of a Municipality or of a Guaranteed or Private Railway are not entitled to send State telegrams, nor are the officials and servants of Native States.

37. *Language.*—The text of State telegrams may in all cases be composed of Secret language (i.e., Code and Cipher). Cipher language may be formed either of groups or series of figures, or of groups or series of letters, having a secret meaning; but a combination in the same telegram of figures and of letters, having a secret meaning, is not admitted.

38. *Collation.*—State telegrams, when they are written in Figure or Letter cipher, are always repeated in their entirety (Rule 105) by the Receiving Office in the same manner as is done with "collated" telegrams (Rule 102). When partially written in cipher, the cipher portions only are repeated.

39. *Payment, etc.*—State telegrams must be marked *State* by the Sender, and as a rule, paid for in Service stamps or in cash prior to despatch. The charges are the same for State as for Private telegrams. The rule regarding prepayment (Rule 64) will be relaxed in case of great emergency; but whenever an *Express* State telegram is tendered for transmission under this permission, the Sender must take the necessary steps to ascertain the charges on it, and pay them into the Telegraph Office within 24 hours. The rule cannot be relaxed in case of *Ordinary* State telegrams.

40. *At Railway Offices.*—State telegrams are not accepted at Railway Offices at places where there is also a Government Office, except in cases of emergency, or when the Sender's Office, or residence, is much closer to a Railway Office than to a Government Office. At Railway Offices State telegrams should be paid for in cash.

41. *Abbreviated Addresses.*—The conditions for the registration of abbreviated addresses laid down in Rule 32 do not apply to the abbreviated addresses of Government officials. These are registered free of charge, and without any restriction as to the number of words used. Applications for the registration of abbreviated addresses of Government officials should be made to the Director-General of Telegraphs.

42. *Clear-the-Line Telegrams.*—On emergent occasions of great importance, the officers named below may "clear the line" within Indian

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limits, *i.e.*, may suspend the receipt and despatch of all telegrams until the one for which the line is cleared is passed on:—

Such clear-the-line telegrams shall be accepted only if signed by one of the said officers;

The power to clear the line shall not be delegated and “clear-the-line” telegrams signed “by order” shall not be accepted;

Any of the said officers may, in sending a clear-the-line telegram, authorise a “clear-the-line” reply, but no “clear-the-line” reply shall be accepted in the absence of such authority; clear-the-line telegrams shall be paid for as State (Express) telegrams. The words “*clear line*” should be written before the address ¹[and will be transmitted free].

Officers authorised to clear the line:

(1) Military Secretary to the Viceroy, by special order of the Viceroy.

(2) Private Secretary to the Viceroy, by special order of the Viceroy.

(3) Private Secretary to the Governor of Madras, by special order of the Governor.

(4) Private Secretary to the Governor of Bombay, by special order of the Governor.

²[(4-A) Private Secretary to the Governor of Bengal, by special order of the Governor.]

(5) (a) Military Secretary to the Commander-in-Chief, by special order of the Commander-in-Chief.

(b) ²[The Chief of the General Staff], Army Head-quarters.

(c) The Senior Staff Officer at Head-quarters in the absence of the Commander-in-Chief from the Head-quarters Station.

(6) The General Officers Commanding the Northern and Southern Armies.

(7) Private Secretaries to the Lieutenant-Governors, ²[Bihar and Orissa], the United Provinces, the Punjab and Burma, by special order of such Lieutenant-Governors.

¹ Inserted by Notification No. 1038—10, dated the 7th February, 1910, *see* Gazette of India, 1910, Pt. I, p. 175.

² Added and substituted respectively by Notification No. 6082—133, dated the 10th August, 1912, *see* Gazette of India, 1912, Pt. I, p. 820.

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- (8) Ordinary Members of the Governor General's Council.
- (9) Secretaries to the Government of India.

NOTE.—Also the Deputy Secretary to the Government of India in the Foreign Department in the absence of the Foreign Secretary on tour with the Viceroy.

(10) Chief Secretaries to the Governments of Madras, Bombay, Bengal, ¹[Bihar and Orissa], the United Provinces, the Punjab and Burma.

(11) Chief Commissioners of the Central Provinces, ¹[Assam] and the North-West Frontier Province.

(12) Secretary to the Agent to the Governor General and Chief Commissioner, North-West Frontier Province.

(13) Agents to the Governor General in Rajputana, Central India and Baluchistan.

(14) The General Officers Commanding the Pesbawar, Rawalpindi, Lahore, Quetta, Mhow, Poona, Meerut, Lucknow, Secunderabad and Burma Divisions, and the Kohat, Derajat, Bannu and Aden Brigades.

NOTE.—The power of clearing the line is limited in the case of these officials to messages addressed to the Army Department, to Army Head-quarters and to the General Officers Commanding the Northern and Southern Armies.

- (15) Officer Commanding a Force in the Field.
- (16) Director-General of Telegraphs.
- (17) Maharaja of Patiala (from Patiala Office only).
- (18) Residents in Hyderabad and Mysore.
- (19) Comptroller and Auditor-General.

SERVICE TELEGRAMS.

43. Service telegrams are divided into Service telegrams properly so called, and Service Advices. The former classification includes—

- (a) those on the service of the Government Telegraph and Postal Departments, which are sent free to and from any Telegraph Office;
- (b) those sent free on the service of certain foreign Governments regarding which the Government of India prescribes special instructions in each case.

¹ Added by Notification No. 6082—133, dated the 10th August, 1912, see Gazette of India, 1912, Pt. I, p. 820.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

Paid Service Advices are Service telegrams exchanged between Telegraph Offices under Rules 44 and 45.

- PAID SERVICE ADVICES.

144. The Sender and Addressee (or the authorised representative of either of them) of any telegram already transmitted, or in course of transmission, may during the period of preservation of records (Rule 137), and after they have proved, if necessary, their right and identity, cause inquiry to be made, or instructions to be given respecting it by telegraph. They must deposit the following amounts:—

- (a) The cost of the telegram making the request, which may be classed *Express* or *Ordinary* at the sender's option.
- (b) The cost of a telegram for the reply, if a reply by telegraph is necessary, which may also be classed as in (a) above.

They may also, with the object of rectification, have a telegram which they have sent or received, repeated entirely or in part, either by the office of destination or origin or by a transit office.

In the case of a repetition asked for by the addressee, he must pay the charge for the transmission of a telegram (*Express* or *Ordinary* according to his wishes) to cover the cost of the number of words to be repeated, *viz.*, if the part to be repeated contains 12 words or less one rupee if classed *Express* or six annas if classed *Ordinary* with two annas or half an anna per word, respectively, if the number of words is greater than 12. This charge includes the cost of the call and the reply.

A telegram sent at the request of the addressee, in order to obtain the repetition of a passage suspected to be erroneous, implies always a telegraphic reply, which will be of the same class as the telegram making the request, and the insertion of the indication—Reply Paid—is not necessary. In other cases in which a telegraphic reply is requested, this indication must be employed.

45. Rectifying, completing, or cancelling telegrams, and all other communications relating to a telegram already transmitted or in course of transmission, when they are addressed to a Telegraph Office, must be exchanged exclusively between the Offices under the form of paid Service Advices, at the cost of the Sender or the Addressee making the demand.

¹ Substituted by Notification No. 1932—151, dated the 1st March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

— Rules as to Inland and Foreign Telegrams—*contd.*

46. The charges for Service Advices necessitated through errors of the Telegraph Service are refunded under Rules 145 (h) and 148.

47. When the words to be repeated are written in a doubtful manner, the Office of Origin consults in the first instance the Sender. If he cannot be found, the Office of origin adds to the repetition a note "Writing doubtful."

COUNTING OF WORDS.

48. *What is counted.*—All that the Sender writes upon the form to be transmitted to his correspondent is included in calculating the charge, with the exception of the Special Instructions referred to in Rule 21 and the name of the Telegraph Office of origin, which are transmitted free. No other words may be transmitted unless paid for.

49. *Stops, etc.*—Dashes which only serve to separate upon the form the different words or groups of a telegram, are neither charged for nor transmitted. Signs of punctuation, apostrophes, and hyphens are only transmitted and, consequently, charged for, on the formal request of the Sender.

50. *Preamble.*—Words, numbers and signs added by Telegraph officials for official purposes are not charged for. The hour and minute (Standard time) at which a telegram is handed in are added by the Telegraph Office and transmitted free.

51. *Combinations or alterations of words* contrary to the usage of the language are not admitted (except in the case of registered abbreviated addresses under Rule 32, Condition 3). The same applies to combinations or alterations sought to be concealed by reversing the order of letters or syllables. Nevertheless, the names of towns and countries, patronymics (family names) of one and the same person, the names of places, squares, boulevards, streets, and any other kinds of public places, the names of vessels, whole numbers, fractions, decimal or fractional numbers, written entirely in words, and compound words admitted as such in the English and French languages and which can, if a question arises, be justified by reference to a dictionary, may be respectively written as single words, without either apostrophe or hyphen.

The words *halfpenny*, *twopence*, *threepence*, etc., up to *elevenpence*, may be written as single words.

52. The following are examples of combinations of words admissible and inadmissible as single words:—

(a) Examples of combinations admissible as single words:—

Cowhide.
Gingellyseed.

Rapeseed.
Sheepskin.

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Rules as to Inland and Foreign Telegrams—*contd.*

Paid Service Advices are Service telegrams exchanged between Telegraph Offices under Rules 44 and 45.

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- (a) The cost of the telegram making the request, which may be classed *Express* or *Ordinary* at the sender's option.
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They may also, with the object of rectification, have a telegram which they have sent or received, repeated entirely or in part, either by the office of destination or origin or by a transit office.

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A telegram sent at the request of the addressee, in order to obtain the repetition of a passage suspected to be erroneous, implies always a telegraphic reply, which will be of the same class as the telegram making the request, and the insertion of the indication—Reply Paid—is not necessary. In other cases in which a telegraphic reply is requested, this indication must be employed.

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Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd*

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49. *Stops, etc.*—Dashes which only serve to separate upon the form the different words or groups of a telegram, are neither charged for nor transmitted. Signs of punctuation, apostrophes, and hyphens are only transmitted and, consequently, charged for, on the formal request of the Sender.

50. *Preamble.*—Words, numbers and signs added by Telegraph officials for official purposes are not charged for. The hour and minute (Standard time) at which a telegram is handed in are added by the Telegraph Office and transmitted free.

51. *Combinations or alterations of words* contrary to the usage of the language are not admitted (except in the case of registered abbreviated addresses under Rule 32, Condition 3). The same applies to combinations or alterations sought to be concealed by reversing the order of letters or syllables. Nevertheless, the names of towns and countries, patronymics (family names) of one and the same person, the names of places, squares, boulevards, streets, and any other kinds of public places, the names of vessels, whole numbers, fractions, decimal or fractional numbers, written entirely in words, and compound words admitted as such in the English and French languages and which can, if a question arises, be justified by reference to a dictionary, may be respectively written as single words, without either apostrophe or hyphen.

The words *halfpenny*, *twopence*, *threepence*, etc., up to *elevenpence*, may be written as single words.

52. The following are examples of combinations of words admissible and inadmissible as single words:—

(a) Examples of combinations admissible as single words:—

Cowbide.
Gingellyseed.

Rapeseed.
Sheepskin.

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(b) Examples of combinations inadmissible as single words:—

Tapestry patterns.	Wheat cargo.
Counter offer.	Beer boxes.
Bank action.	Discharging day.
Wire answer.	Steamer cargo.
Inner harbour.	Coast sailing.
Bourse credit.	Hull steamer.
Sail insurance.	Al right.
Steam coals.	All right.
Tuesday morning.	

53. The following are each counted as one word only:—

- (a) The name of the Telegraph Office of destination when written as given in the *Telegraph Guide* (Rule 24).
- (b) Every Code word which fulfils the requirements of Rule 18, clauses ¹(d) and ¹(e).
- ²(c) Every isolated character, letter or figure, as well as every sign of punctuation, apostrophe, or hyphen, transmitted at the request of the sender.
- (d) Underline.
- (e) Parentheses (the two signs which serve to form).
- (f) Inverted commas, *i.e.*, the two signs placed at the commencement and end of one and the same passage.
- (g) In Telegraphic Money Orders, the name of the postal issuing office, the name of the postal paying office, and that of the locality where the payee resides.

54. *Use of Apostrophes and Hyphens.*—Words separated by an apostrophe ³[(except in the case of certain names—see Rule 57A)] and words joined by a hyphen are counted as so many separate words.

55. *Figures, Letter Cipher, Commercial marks, etc.*—Groups of figures or of letters, commercial marks composed of figures and letters are counted as one word for each five figures or letters which they contain, *plus* one word for any excess. Each of the combinations æ,

¹ Altered by Notification No. 4294—95, dated the 8th June, 1912, see *Gazette of India*, 1912, Pt. I, p. 636.

² Substituted by Notification No. 1038—10, dated the 7th February, 1910, see *Gazette of India*, 1910, Pt. I, p. 175.

³ Added after the word "apostrophe" in Rule 54, by Notification No. 4518—123, dated 23rd June, 1910, *Gazette of India*, 1910, Pt. I, p. 512.

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aa, ab, æ, ue, and ch is counted as two letters. When Commercial marks form part of the text of a telegram, the Sender should certify them to be such at the foot of the form.

56. *Signs, etc., used with figures or letters.*—Decimal points or full-stops, commas, colons, dashes and bars of division are each counted as a figure or a letter in the group in which they occur. This also applies to each letter added to groups of figures to form ordinal numbers, as well as to letters or figures added to the number of a house in an address, even in the case of an address in the text or in the signature (*i.e.*, "Person From") of a telegram.

57. *Abbreviations.*—Common titles, which in their full form are expressed by a single word, such as *Captain*, *Reverend* and *Esquire*, may be written in their usual abbreviated forms, such as *Capt.*, *Rev.* and *Esg.*, each of which counts as one word. Similarly, common abbreviations of single words, such as *Rs.* (for *Rupees*), *lbs.* (for *pounds*), are admissible and count each as one word.

¹[57A. *Surnames.*—Names, such as Macdonald (or McDonald), FitzGerald, O'Neil, DeMorgan, D'Cruz, De la Rue, St. John, Van de Brande, Du Bois, will be counted as one word each, even though written with capital medial letters. They will be signalled as written.]

58. *Examples of counting.*—The following examples show how the rules for counting words are to be interpreted:—

—	Number of words.	—	Number of words.
Leveson-Gower (<i>family name</i>) .	2	Princess of Wales (<i>ship</i>) . . .	1
Levesongower (<i>family name</i>) . .	1	Prince of Wales (<i>ship</i>) . . .	3
John Henry (<i>Christian names</i>) .	2	Re-addressed	1
Johnhenry (<i>Christian names</i>) . .	2	Re-addressed	2
A. Gower (<i>initial and family name</i>) .	2	Don't	1
Agower (<i>erasure ; inadmissible</i>) .	—	Don't	2
Bara Bazar	2	Mother-in-law	3
Barabazar	1	Motherinlaw	1
Responsibility (<i>14 characters</i>) .	1	All right	2
Misrepresentation (<i>17 characters</i>) .	2	All-right	2

¹ Inserted by Notification No. 4518—123, dated 23rd June, 1910, see Gazette of India, 1910, Pt. I, p. 512.

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	Number of words.		Number of words.
Allright	2	EM. (<i>Initials of two Christian names, wrong combination</i>).	2
Alright (<i>misspelt ; inadmissible</i>)	—	15A (<i>Number of house</i>)	1
44½ (<i>5 characters</i>)	1	15—3 or 15/3 (<i>Number of house</i>)	1
444½ (<i>6 characters</i>)	2	¹ [I. C. S. (<i>For Indian Civil Service</i>) <i>in address or text.</i>]	3
444.5 (<i>5 characters</i>)	1	I. C. S. (<i>in address</i>)	3.
444.55 (<i>6 characters</i>)	2	(<i>in text</i>)	1
44/2 (<i>4 characters</i>)	1	I. c. s. (<i>in address</i>)	3.
44/ (<i>3 characters</i>)	1	(<i>in text</i>)	1
¼8 (<i>4 characters</i>)	1	R. A. (<i>for Royal Artillery</i>) <i>in address or text.</i>	2.
2% (<i>4 characters</i>)	1	R A (<i>in address</i>)	2.
17th (<i>4 characters</i>)	1	(<i>in text</i>)	1
1529th (<i>6 characters</i>)	2	Ra. (<i>in address</i>)	2.
10 Rs. 10 As.	4	(<i>in text</i>)	1
10 Rs. 10	3	Emvthf (<i>6 characters, Secret letters in State telegrams, or Commercial marks</i>).	2.
Rs. 10, 10 (or) Rs. 10/10	2	Emvchf (<i>6 characters, Secret letters in State telegrams, or Commercial marks</i>).	2.
11h. 30	3	197a/199a (<i>Commercial mark ; a group of 9 characters</i>).	2.
11-30	1	AP/M (<i>Commercial mark or Secret language in State telegrams ; a group of 4 characters</i>).	1
Eight /10	2	3/M (<i>Commercial mark ; a group of 3 characters</i>).	1
5/twelfths	2	GHF (<i>Commercial mark, or Secret language in State telegrams ; a group of 3 characters</i>).	1
May/August	3		
30 ^a (<i>30 to the power a</i>)*	5		
15 × 6 (<i>15 multiplied by 6</i>)*	4		
Two hundred and thirty-four	5		
Two hundred and thirty-four (<i>23 characters</i>).	2		
E.	1		
E. M. (<i>Isolated letters, initials of Christian names</i>).	2		

* The telegraph is not able to reproduce such expressions as 30^a, 15 × 6, etc. Senders of telegrams must, therefore, replace them by the full signification, thus—*30 to the power a, 15 multiplied by 6*, etc.
¹ Substituted by Notification No. 1038—10, dated the 7th February, 1910, see *Gazette of India*, 1910, Pt. I, p. 175.

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	Number of words.		Number of words.
G. H. F. (Commercial mark, or Secret language in State telegrams; a group of 6 characters).	2	Received letter from Pera reliable source which says "conversion business hindered by syndicate bankers" (14 words and a passage in inverted commas).	15
G.H.F. (Without final stop) (Commercial mark or Secret language in State telegrams; a group of 5 characters).	1		
GHF 45 (Commercial mark, a group of 5 characters).	1	As. (for "annas") . . .	1
G. H. F. 45 (Commercial mark; a group of 8 characters).	2	Co. (for "Company") . . .	1
G/O (for General Order) . . .	3	Etc. (for "etcetera") . . .	1
G. O. (for General Order) . . .	2	Mr. (for "Mister") . . .	1
The business is very urgent, come without delay (8 words and 2 underlines).	10	Mrs. (for "Mistress") . . .	1
Received news of you indirectly (very bad) telegraph immediately (9 words and 1 passage within parenthesis).	10	No. (for "Number") . . .	1
		d. (for "pence") . . .	1
		s. (for "shillings") . . .	1
		Cwt. (for "hundredweight") . . .	1

CHARGES.

59. *Classes.*—There are two classes of telegrams—*Express* and *Ordinary*. These classes apply equally to State and Private telegrams. The corresponding charges between any two Offices in India or Burma are as follows:—

Class.	Unit No. of words.	Unit rate.	Each additional word.	Address.
		R a.	R a.	
Express	12	1 0	0 2	Charged for.
Ordinary	12	0 6	0 ½	Ditto.

60. *Cancelled*, see Notification No. 4553—67, dated 25th June, 1910, Gazette of India, 1910, Pt. I, p. 538.

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PRECEDENCE.

61. *Express telegrams* have precedence over Ordinary telegrams in transmission, and are delivered by messengers at any time during the day or night.

62. *Ordinary telegrams* are transmitted in their turn after Express telegrams, and delivery is effected by messengers between 6 hours and the time of closing of a telegraph office, but not later than 23 hours.

63. *Ordinary telegrams* are not accepted on Sundays and the four principal holidays, Christmas Day, New Year's Day, Good Friday and the King's Birthday.

PAYMENT OF CHARGES.

64. *Charges how paid.*—With the exceptions provided for in Rules 39, ¹* 70, 71 and 128, all charges on telegrams must be prepaid in Cash or Postage Stamps. If the class of the telegram is not stated by the Sender, it will be classed and charged for as Ordinary (Rule 59).

²65. At-Departmental Telegraph Offices, telegrams can be accepted on the Deposit Account system on the following conditions:—

(i) A minimum deposit of a sum of money equivalent, approximately, to the cost of ten days' telegrams may be made to the Departmental Telegraph Office from which telegrams are required to be sent. At the end of each week, the Telegraph Office concerned will submit a detailed account to the depositor showing the amount expended on his telegrams, in order that he may renew his deposit, if necessary, by paying into the Telegraph Office the amount shewn in the account. If the deposit is exhausted and the depositor does not renew it, no further telegrams will be accepted from him except on payment.

(ii) If the account is to be rendered at intervals greater than a week, the deposit required will be increased accordingly.

(iii) A fee for the upkeep of accounts will be levied at the rate of twelve annas for every 25 telegrams, or fraction thereof,

¹ The figures 65 were deleted by Notification No. 4609—127, dated the 24th June, 1911, see Gazette of India, 1911, Pt. I, p. 478.

² Rule 65 was substituted by Notification No. 4609—127, dated the 24th June, 1911, see Gazette of India, 1911, Pt. I, p. 478.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

despatched by the depositor during each quarter, subject to a minimum of Rs. 10 per annum.

66. *Postage Stamps.*—Postage stamps are of the following value:—

$\frac{1}{2}$ anna	2½ annas	8 annas	3 rupees
$\frac{3}{4}$ "	3 "	12 "	5 "
1 "	4 "	1 rupee	10 "
2 annas	6 "	2 rupees	15 "
			25 "

Service Postage Stamps, *i.e.*, Postage Stamps overprinted with "On H. M. S.," should be used in payment of State telegrams.

67. *Affixing Stamps.*—The Stamps must be affixed by the Sender to the telegram form in the space allotted for the purpose, and he should see that the Stamps are defaced by the Counter Clerk with the Name and Date stamp of the office.

68. *Spoilt or defaced stamps.*—Postage Stamps which have been obliterated, defaced, torn, cut or otherwise rendered imperfect, or which have any word, letter, figure, or design written, printed, or impressed upon them, otherwise than by the authority of Government, before being affixed, or which have been cut or otherwise separated from embossed envelopes, postcards or wrappers, cannot be recognised in payment of telegrams.

NOTE.—The perforation of Postage Stamps with initials or other identifying marks traced in minute holes is not prohibited.

69. *Receipt.*—A receipt containing particulars of the number of the telegram and the charges paid can be obtained for each telegram tendered for transmission at a Telegraph or Postal Receiving Office. Duplicate copies of receipts for telegrams are never given.

70. *Telegrams from ships.*—Telegrams arriving by mail steamers and other vessels for onward transmission by telegraph may be transmitted without prepayment; but no such telegram, whether prepaid or not, will be transmitted until the name of the vessel from which it is received is known at the Telegraph Office.

71. *Telegrams from Field Telegraph Offices.*—When at a Field Telegraph Office prepayment is impracticable, Private telegrams, addressed to any office other than a Field Telegraph Office, will be accepted "bearing," but such telegrams will not be delivered to the Addressees until they have paid the charges due on them (Rule 72).

72. *Recovery of bearing and other charges from Addressee.*—In every case where charges have to be collected on delivery (Rules 13, 70, 71, 84, 86 and 128), the telegram is only handed to the Addressee upon payment of the amount due.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

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73. *Any undercharge* made in error, and charges and expenses not recovered from the addressee in consequence of his refusal to pay them, or the impossibility of finding him, must be made good by the Sender.

74. *Any overcharge* made in error is returned to the person entitled to it. No refund, however, is made of the value of the stamps in excess affixed by the Sender, unless he applies for it to the ¹[*Assistant Accountant-General, Telegraph Check Office, Calcutta*] under Rules 145 (j) and 148.

INTERRUPTION OF TELEGRAPHIC COMMUNICATION: TRANSMISSION IN
DUPLICATE.

75. When an interruption to the regular means of telegraphic communication occurs during the transmission of a telegram, the office beyond which the interruption exists, or an office situated further back and having at its disposal an alternative telegraph route, immediately sends the telegram by such a route or failing that, by special messenger or by post (*registered*, if possible).

76. If a telegram is re-transmitted, by means other than telegraphic, it will be addressed by the re-transmitting office either to the nearest telegraph office able to re-transmit it or to the office of destination, or to the addressee himself. As soon as communication is re-established, the telegram is transmitted afresh by telegraph, unless its receipt has been previously acknowledged, or unless, on account of an exceptional accumulation of traffic, this re-transmission would be manifestly prejudicial to the general service.

CANCELLATION.

77. If the Sender of an Inland telegram, or his authorised representative, wishes to cancel the telegram before transmission has begun, he can do so, and the charges, less a fee of two annas, will be returned: Provided that, if the telegram has been stamped and the stamps have been obliterated, the charges shall be refunded under Rule 145 (k), only on application being made to the ¹[*Assistant Accountant-General, Telegraph Check Office, Calcutta*], within the period prescribed by Rule 148. If the telegram is in course of transmission, or has already been despatched, it can be cancelled only by a Paid Service Advice addressed

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see *Gazette of India*, 1910, Pt. I, p. 321.

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under Rule 44 to the office of destination. If, in addition, the Sender wishes to be informed by telegraph in what manner his request has been acted upon, he must deposit the cost of the return telegram: otherwise he is informed by post. If the telegram has been delivered to the addressee, the latter is informed of its cancellation unless the Service Advice contains instructions to the contrary.

DELIVERY AT DESTINATION.

78. *According to Address and Order.*—Telegrams are according to their Addresses, either delivered at the residences of the Addressees, or kept at the Telegraph Office or Post Office till called for. They are, in all cases, delivered at, or sent to, their destinations in order of receipt.

79. *Free Delivery Limits.*—Telegrams are delivered free of charge within five miles of a Telegraph Office. Beyond this free delivery limit, telegrams are sent by post without charge, or by such other means as the Sender may arrange and pay for (Rules 115—120). For telegrams to be delivered by boat, see Rule 84.

80. *Persons to whom telegrams may be delivered.*—A telegram taken to the Addressee's place of residence may be delivered either to the Addressee, the adult members of his family, any person in his service, to his lodgers or guests, or to the porter of the hotel or house, unless the Addressee has named in writing a special person, or the Sender has requested by writing on the form the Special Instruction *Addressee only* or (*M.P.*)—see Rule 17 (*d*)—, that the telegram may be delivered only into the hands of the Addressee himself. In this case the Office of destination writes the instruction "*Addressee only*" in full on the envelope and gives the necessary instructions to the messenger.

81. *Open Delivery.*—The Sender may also request that the telegram may be delivered open, by writing on the form the Special Instruction "*Open*"—see Rule 17 (*d*). This request is reproduced on the copy handed to the Addressee, which is delivered without an envelope, simply folded, with the Address written on the back.

82. *Telegrams to be kept till called for.*—When the telegram bears the Special Instruction *to be kept at the Telegraph Office till called for* or (*TR.*) it is delivered to the Addressee or his duly authorised representative over the telegraph counter. Telegrams bearing the Special Instruction *to be kept at the Post Office till called for* or (*GP*) are handed to the Post Office by the Telegraph Office of destination. The latter are, as regards delivery and period of preservation, subject to the same rules as postal correspondence.

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83. *Delivery on ships.*—Telegrams addressed to passengers on board a vessel arriving at a port are delivered, if possible, before disembarkation.

84. *Delivery by boat.*—When an Inland telegram has to be delivered on board a ship which cannot be reached without a boat (*i.e.*, when the ship is not alongside a wharf, pier or jetty) or at a place which cannot be reached without a boat, the boat-hire must be paid by the Addressee if the Sender omits to prepay it. The indication *Boat-hire paid* or (*BPD*), or *Boat-hire paid* ¹[night] or (*BPDN*)—if the Sender has paid the boat-hire and wishes the telegram sent on board at night—should be entered on the form. Boat-hire prepaid but not expended will be refunded [Rules 145 (*g*) and 148]. Information regarding fixed express charges for boat-hire for certain places in India can be obtained from the Telegraph Office.

85. *Reply given to messenger.*—Save in the case of delivery by the ordinary post beyond the free delivery limit, the messenger who delivers a telegram may be entrusted with the Reply, provided he be not detained for this purpose more than five minutes. The fact of the Reply having been given to the messenger, and the amount paid to him, should be mentioned on the Receipt signed for the original telegram.

86. *Re-direction.*—Telegrams can be re-directed to a second address, either by an official of the Telegraph Office, or by an agent of the Addressee. When official re-direction of telegrams is required, a notice to that effect must be given to the Telegraph Office concerned; printed forms for the purpose can be obtained from the local Telegraph Office. The person who gives notice is responsible for any charges that may be incurred. No additional charge will be levied for re-direction if the two addresses are within the same town, but if in different towns, the full Inland rate, according to the class of the telegram, will be charged for the re-direction. If the sum due has not been paid at the office where the telegram has been re-directed, the amount will be recovered from the Addressee before delivery. ²[All State telegrams to whomsoever addressed, and all private telegrams addressed to officers of Government by official designation only, will be re-directed free.] Instructions left at the Telegraph Office regarding the re-addressing or re-direction of telegrams will be considered to be in

¹ Substituted by Notification No. 5451—142, dated the 6th August, 1910, see Gazette of India, 1910, Pt. I, p. 759.

² Substituted for the words substituted by Notification No. 8242, dated 1st November, 1909, by Notification No. 4423—85, dated the 7th June, 1913, see Gazette of India, 1913, Pt. I, p. 614.

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force for a month only; after that period they will be liable to the fees prescribed by Rule 92.

¹[When a telegram has been re-directed to a second address without an order to transmit it by telegraph, the telegram will, subject to the provisions of this rule, if re-directed to any place to which the Indian Inland Postal rates apply, be posted as an unregistered letter free of charge to its new destination, and a remark to this effect added to the notice of non-delivery prescribed by Rule 88].

87. *Inland telegrams* may also be re-transmitted to Ceylon at the request of the Addressee or some responsible resident acting on the Addressee's behalf. In that case, the full charge for the telegram from India to Ceylon will, when possible, be recovered from the Addressee. Requests for re-transmission must be made in writing, and any one making such request must undertake to pay the charges which may not be collected by the Delivery Office. When no such undertaking accompanies a request to re-transmit, the telegram will be posted and the Sender advised. Telegrams returned unopened with a new address in Ceylon will be similarly dealt with.

88. *Undelivered telegrams.*—When a telegram cannot be delivered, the office of destination, after a brief delay, sends a Service telegram to that effect to the office of origin and the Sender is informed, except in the case of—

- (a) telegrams addressed *To await arrival, Telegraph restante, Poste restante, or Care of Telegraph (or Post) Office*, and
- (b) telegrams to places beyond the free delivery radius which have been duly posted and are subsequently returned as undelivered by the Post Office to the Telegraph Office which posted them. In cases (a) and (b) when a charge has to be collected, the Service Advice of non-delivery is sent by post at the expiration of the period for retaining such correspondence.

89. When in consequence of an incorrect or insufficient Address or of the Addressee's absence or refusal, bearing charges have not been paid at destination, the amount of these charges is mentioned in the Service telegram, and the Sender is bound to make them good.

90. If the messenger finds no one at the Address given who will consent to receive a telegram for the Addressee, a notice is left at the residence indicated, and the telegram is brought back to the Telegraph Office to be delivered to the Addressee, or to any person authorized by

¹ Added by Notification No. 5317—126, dated the 13th July, 1910, see Gazette of India, 1910, Pt. I, p. 757.

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him to take delivery of it, upon application from either. When the Addressee duly advised as above of the arrival of a telegram does not take delivery within 24 hours, non-delivery is reported in accordance with Rule 88.

91. *Unclaimed telegrams.*—Telegrams unclaimed, or not delivered, are not kept after two weeks by the office of destination.

92. *Directions about delivery.*—For the registration of standing instructions regarding the delivery of telegrams during fixed hours, the same fee as for the registration of an abbreviated address is levied (*vide* Rule 32). If the fee for a registered abbreviated address has already been paid, that fee will cover the registration of special delivery instructions. In the case of Government Officials, no charge is made for the registration of abbreviated addresses, but they will be required to pay the prescribed fee for the registration of standing instructions regarding the delivery of telegrams during fixed hours.

SPECIAL TELEGRAMS.

(A) *Prepaid Replies.*

93. The Sender of a Private telegram, or of a State telegram addressed to a person other than a British Government Official, may prepay a reply, but the amount so prepaid shall be not less than six annas. The Sender of a Reply paid telegram should write the words "Reply-paid" in the space provided on the form [Rules 17 (d) and 21.]

94. At destination, the Telegraph Office delivers to the Addressee a Reply telegram form, which entitles him to send free of charge from any Telegraph or Receiving Office in India, and within the value of the amount prepaid, a telegram to any destination in India. Two or more Reply telegram forms may be used in payment of one Inland telegram, but one Reply telegram form cannot be used in payment of two or more telegrams. A Reply telegram form can prepay the cost of a telegram and its reply if necessary.

95. If the reply exceeds the amount notified in the Reply telegram form, the difference must be paid in cash or stamps by the Sender of the reply (Rule 67). If, on the other hand, the amount notified on the Reply telegram form exceeds that of the Reply, the difference, if it be not less than eight annas, will be refunded to the Sender of the original telegram on application to the ¹[*Assistant Accountant-General*,

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

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Telegraph Check Office, Calcutta]. No refund will be given on a Reply telegram form, which has been prepaid by another Reply telegram form and not by cash or stamps.

96. The Reply telegram form is available for only two months (date of issue included) after which it lapses.

97. When the Addressee has not made use of the Reply telegram form, or has refused it, the money deposited for the reply can be refunded to the Sender under the conditions of Rules 145 (d) and 148.

98. Should it be impossible to effect delivery of a Reply-paid telegram, the Office of destination sends a Service telegram to that effect and the Sender is informed (Rule 88). The Reply telegram form remains attached to the telegram during the period of retention fixed by Rule 91, after which it is sent to the Check Office to await any application for refund of the amount prepaid that may be preferred by the Sender according to Rule 148.

99. When a telegram to which a reply is prepaid is addressed to a place where there is no Telegraph Office, the telegram and Reply telegram form are forwarded to destination from the nearest Telegraph Office by ordinary post free of charge.

100. It is not compulsory on the Addressee to send a reply. The duty of the Office of destination consists simply in the delivery of the Reply telegram form for the amount prepaid, and the Addressee is at liberty to do what he pleases with it.

101. The Sender of a State telegram addressed to a Government Official cannot prepay a reply. In the case of a State telegram addressed to other than a Government Official, any sum deposited by the Sender under Rule 93 must be intended for no other purpose than to cover the cost of a return telegram.

(B) *Collated (or Repeated) telegrams.*

102. *Collation* consists in the entire telegram (including the Preamble) being repeated back immediately on its receipt by each Office concerned in its transmission.

103. The Sender of any telegram can require it to be collated, or repeated, to insure correctness. In this case he must write the Instruction T. C. [Rules 17 (d) and 23.]

104. The charge for collation is equal to one-fourth the charge for the telegram. In calculating this charge, fractions of half an anna will be reckoned as half an anna.

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105. State and Service telegrams written in ¹[Cipher] are invariably collated free of charge (Rule 38).

(C) Acknowledgments of Receipt.

106. The Sender of a telegram can require that a notice of the date and time at which his telegram is delivered to the Addressee shall be notified to him as soon as possible after its delivery. He should write on the form the abbreviation (P C)—see Rule 17 (d). When the telegram is forwarded to its final destination by post, deposited *poste restante*, or delivered to any intermediate agency, this notice mentions the date and time of such forwarding, deposit, or delivery. This Acknowledgment of Receipt may be addressed to him at any place he may name.

107. The charge for an Acknowledgment of Receipt by telegraph is six annas.

108. [Cancelled by Notification No. 5451—142, dated the 6th August, 1910, Gazette of India, 1910, Pt. I, p. 759.]

109. In the case of non-delivery provided for in Rule 88, the Acknowledgment of Receipt is preceded by the Service Advice required by that Rule. The Acknowledgment of Receipt is detained during the period prescribed in Rule 91, or is transmitted after the delivery of the telegram, if that becomes possible. At the expiration of this period, if the telegram has not been delivered, the charge for the Acknowledgment of Receipt is refunded to the Sender of the telegram under the conditions of Rule 145 (g), if he has not already applied for such refund.

110. An Acknowledgment of Receipt when it reaches the office of origin, or the office indicated in the telegram (Rule 106), is notified to the Sender. When the Acknowledgment of Receipt has reference to a telegram which has been re-addressed (Rule 86), the office of origin recovers from the Sender any charges that may be due.

(D) Multiple telegrams.

111. *Addressed to one Telegraph office.*—Except as provided for in Rule 121, a telegram addressed to several persons in the same locality, or in different localities served by the same Telegraph Office or to the same person at several Addresses in the same locality, or in different localities served by the same Telegraph Office, is charged for

¹ Substituted by Notification No. 4294—95, dated the 8th June, 1912, see Gazette of India, 1912, Pt. I, p. 636.

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as a single telegram; but a copying fee of four annas per 100 chargeable words, *plus* four annas for the excess is charged for each destination after the first.

Copies of a multiple telegram will only be delivered by post from the Terminal Telegraph Office when addressed to places beyond the telegraph lines. Such copies cannot be posted to places where there are Telegraph Offices.

112. *Addressed to more than one Telegraph Office.*—A telegram addressed to several persons, or to the same person, in localities where delivery is to be effected by different offices, is charged for as so many separate telegrams, and shall be written on separate telegram forms. Telegrams addressed to stations which are local telegraph offices within the free delivery radius of the Central Office are, however, treated as laid down in Rule 111. Press telegrams addressed to more than one Telegraph Office are invariably treated as in Rule 111 (*see* Rule 129).

113. In the case provided for in Rule 111, each copy of the telegrams delivered will bear its own particular Address only, unless the Sender has requested the contrary. In the latter case, the Sender should write the words *Communicate all Addresses* or =CTA [Rule 17 (d)] which are not charged for.

114. Replies cannot be prepaid on multiple telegrams.

(E) Telegrams to be delivered by Post or Special Messenger.

115. *Post or Special Messenger.*—Telegrams addressed to places where there are no Telegraph Offices may be delivered at destination according to the request of the Sender, either by post or by special messenger.

116. The Address of telegrams to be conveyed beyond the telegraph lines should be written as follows:—

- (a) If the message is to be posted from the nearest Telegraph Office—

To—John Doe, Esq.,
Sherghetty, Post Gya.

- (b) If the message is to be sent by special messenger—

Office of Origin and Service Instructions.

Calcutta =XP., Rs Two

To—John Doe, Esq.,
Nynan, Express Hooghly Point.

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The Instructions (*Post*) or (*X. P. Rs. Two*) are not charged for (Rules 23 and 48).

117. Express or portorage charges must be prepaid by the Sender. If the charges are fixed the telegram bears the Sender's Special Instruction *Express paid* or (*X. P.*) only. If not, the Sender must pay such sum as he thinks sufficient and the telegram must bear the Special Instruction *Express R*—or (*X. P.—R*). If the sum deposited is found to be insufficient at the Office of destination, the difference is recovered from the Addressee. Information regarding fixed Express or portorage charges for certain places in India can be obtained from the Telegraph Office.

118. *Postage*.—No charge is made for postage on a telegram addressed to a place in India where there is no Telegraph Office, or to a place out of India to which Indian Inland Postal rates apply, *e.g.*, Aden and Ceylon, but on telegrams to be posted to a place beyond the limits of the Indian Inland Postal Tariff, the following additional charges must be paid to cover postage and registration:—

(i) On a telegram to be posted to the United Kingdom, or any British Possession which has joined the Penny Postal Union—

one anna, if the message is to be posted unregistered, and three annas, if it is to be posted registered.

(ii) On a telegram to be posted to a country which has not joined the Penny Postal Union—

2½ annas, if the message is to be posted unregistered, and 4½ annas, if it is to be posted registered.

119. *Inland Telegrams posted from India to Ceylon*.—Inland telegrams to be posted to Ceylon may be addressed to Tuticorin, from which place a daily mail boat leaves for Colombo.

EXAMPLE.

To—Young,
Oriental Hotel,
Colombo, *Post* Tuticorin.

Text.

Start by first Steamer.

From—W. Collins.

The charge for such a telegram is the usual Inland rate according to class, and as stated in Rule 118, there is no charge for postage. The word *Post* is also not charged for (Rules 23 and 48).

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120. *Inland telegrams posted from Indian Ports.*—An Inland telegram telegraphed to an Indian port to be posted under Rule 118, to a place beyond Indian limits, must have the name of the port entered in the Address, and the Instructions *Post* or *Post Registered* [Rules 17 (d), 21 and 23] before the name of the Telegraph Office from which to be posted.

EXAMPLE.

To—Mrs. Johnson, .

20, Cambridge Terrace,
Hyde Park,

London, *Post* Bombay.

Text.—Afraid my letter missed mail. Am quite well.

From—Johnson.

The charge for such a telegram would be the usual Inland rate according to the class (*Express* or *Ordinary* at Sender's choice), *plus* one anna for postage under Rule 118. If the Sender desires the message to be registered before being posted, he should insert the Special Instruction *Post Registered* (or *P. R.*) before the name of the Telegraph Office from which to be posted. The charge for postage and registration would then be three annas under Rule 118.

Telegrams as in this Rule may also be multiple (Rule 111), but in such case, the Sender must pay the copying fee for each additional Address, and also an additional fee for each for postage, or for postage and registration, as the case may be, according to the charges laid down in Rule 118. But such telegrams cannot be addressed partly to persons beyond the sea, and partly to persons at the port itself. If the Sender wants the telegram also delivered to a person at the port itself, he must send it as a separate telegram.

121. *Mixed Postal and Telegraph Service between India and the United Kingdom.*—Communications intended for places in the United Kingdom may be telegraphed to Bombay for despatch by registered post to London and telegraphed thence to destination. The charges for such communication will be:—

- (1) The charge for the telegram in India at *Express* or *Ordinary* rates according to the wishes of the Sender.
- (2) One anna for postage, and
- (3) The British Inland telegram rate of $\frac{1}{2}$ d., or half an anna, per word with a minimum of six pence, or six annas.

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The communications should be addressed as shown below:—

To

Mrs. Wilcox,
18, Goldspink Lane,
Newcastle, c/o *Telegraphs, Bombay.*

Text.—Afraid my letter missed mail. Am quite well.

From—Wilcox.

The words "*c/o Telegraphs, Bombay*" will be charged for on the Indian section. On arrival at Bombay, the Central Telegraph Office will score out the words "*c/o Telegraphs, Bombay,*" and arrange to forward the telegram by post in a *registered* packet to the Central Telegraph Office, London, from whence it will be telegraphed to its destination. The charges for the above telegram will be:—

	If sent as—	
	Express.	Ordinary.
	R. a.	R. a.
(1) <i>On Indian Section.</i> —18 words (including the instruction " <i>c/o Telegraphs, Bombay</i> ").	1 12	0 9
(2) Postage (including registration) from Bombay to London.	0 1	0 1
(3) <i>On British Section.</i> —15 words (excluding the instruction " <i>c/o Telegraphs, Bombay</i> ").	0 7½	0 7½
Total	2 4½	1 1½

The following are not admitted in the mixed postal and telegraph service:—

- (a) Telegrams with Reply paid (Rule 93).
- (b) Collated telegrams (Rule 102).
- (c) Telegrams with acknowledgment of receipt (Rule 106).
- (d) Multiple telegrams (Rule 111).
- (e) Telegrams for delivery by Special Messenger (Rule 115).
- (f) Semaphoric telegrams (Rule 123).

122. *Employment of post.*—In case of telegrams for places over five miles distant from the Telegraph Office of destination, that Office is entitled to post such telegrams—

- (a) in the absence of directions in the telegram as to the means of delivery to be employed, or

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- (b) when there is an unpaid claim against the Addressee for delivery charges on a previous telegram, which he has refused to pay.

Telegrams for places over five miles distant from the Telegraph Office of destination must be posted by that Office—

- (a) when such has been the request expressly made by the Sender (Rule 115) or the Addressee (Rule 86). The office of destination may, however, effect delivery by special messenger, even for telegrams bearing the instruction *Post*, if the Addressee has expressed a desire to receive his telegrams by special messenger;
- (b) when the Office of destination has no more rapid means of delivery at its disposal.

(F) *Semaphoric Telegrams.*

123. *Semaphoric telegrams* are telegrams exchanged with ships by means of Semaphore established on shore.

124. *Semaphoric Stations.*—The following are the Government Telegraph Offices which are Semaphore stations:—

Achipur,	Elephant Point,
Amherst,	Hooghly Point,
Budge-Budge,	Mad Point,
Diamond Harbour,	Saugor Island,
Diamond Island.	

{Table Island}.

125. *Language.*—Semaphoric telegrams must be written in *English*, or by means of groups of letters of the International Code of Signals.

126. *Address.*—When a Semaphoric telegram is for a ship at sea, the Address must contain, in addition to the ordinary directions, the name or official number of the vessel for which it is intended, and its nationality.

127. *Preamble.*—The word *Semaphoric* should be written and signalled after the office of origin, *i.e.*, in the space marked "Service Instructions" on every telegram received from a ship at sea. When it is addressed to a ship at sea, this instruction is not inserted.

128. *Charges, etc.*—The charge for Semaphoric telegrams is the usual charge, plus a fixed fee of eight annas. In case of Semaphoric

¹ Omitted and added respectively by Notification No. 602—133, dated the 10th August, 1912, see Gazette of India, 1912, Pt. I, p. 820.

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telegrams addressed to ships, the charges must be paid by the Sender; in case of such telegrams received from ships, the charges must be paid by the Addressee before delivery.

PRESS TELEGRAMS.

129. *Rates.*—The following are the rates charged for Press telegrams:—

Class.	Unit No. of words.	Unit rate.	Each additional six words.	Address.
		<i>R a. p.</i>	<i>R a. p.</i>	
Express	48	1 0 0	0 2 0	Free.
Ordinary	48	0 8 0	0 1 0	Do.

Multiple Press messages will be charged for as in Rule 111, whether all the Addresses are in the same town or not. The address in a Press telegram includes the name of the office to which the telegram is to be transmitted, the name of the correspondent, and the name and address (if necessary) of the Newspaper or News Agency.

130. Press telegrams at Ordinary rates are not accepted on Sundays and the four principal holidays, Christmas Day, New Year's Day, Good Friday and the King's Birthday.

131. *Conditions.*—A Press telegram to be accepted at Press rates must fulfil the following conditions:—

(1) It must be addressed to a newspaper or news agency, the name of which has been registered by the Director-General of Telegraphs. The official Gazettes published by the Government of India, by Provincial Governments and by Native States will not be registered under this rule.

A list of such registered newspapers or news agencies is published in the *Telegraph Guide*. A news agency must on registration and annually thereafter submit to the Director-General of Telegraphs a list of its *bonâ fide* subscribers to whom it issues news. Applications for the registration of newspapers or news agencies should be made on forms to be obtained at Government Telegraph Offices.

(2) It must be addressed to the newspaper or news agency in accordance with its registered title, and to the town at which the newspaper or news agency is registered.

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(3) It must, except as provided hereafter in Condition (5), contain only intelligence which is clearly intended for publication in registered newspapers. The news which a news agency receives and disseminates at Press rates may only be given to duly registered newspapers or other registered news agencies.

(4) It must be written in plain *English* so as to be intelligible to the transmitting Offices, and must contain nothing of concealed meaning either in Code language or Cipher. In Press telegrams ordinary English words may be abbreviated.

(5) It may also be a telegram sent from, or to, the newspaper or news agency by its registered title (but not in the name of the editor, publisher, manager, or any other person), to or from its correspondents or employes on the subject of a telegram published, or to be published, or to an official of the Telegraph Department on matters of Press business.

(6) If a press telegram be addressed to the editor, publisher, manager or any other person connected with the newspaper or news agency, by name or designation, it is chargeable at the full Inland rates.

(7) Whenever demanded, a copy of every newspaper in which a Press telegram is published must be furnished to the Telegraph Office from which that Press telegram was delivered.

(8) Long news messages should be broken up into pages of about 75 words each. All the pages must be numbered consecutively, and each of them, except the last, should conclude with the words "*More to follow*" (or M. T. F.). The last page should conclude with the words "*End of message.*" These words and numbers are not charged for. The name of the Sender should be written at the top of each page, and the last word of each page should be repeated at the top of the next page. The interval between the handing in of the different pages should not exceed an hour. When this interval is exceeded, the pages handed in late will be treated as a fresh message and charged accordingly. In telegrams addressed to more than one newspaper or news agency, the full list of addresses need only be furnished with the first page, and each of the consecutively numbered pages will be considered to be addressed to all the newspapers and news agencies.

NOTE.—Attention is specially directed to the necessity of writing as legibly as possible, and it is recommended that, whenever practicable, the copy should be written in ink, and not pencil.

(9) When a Press message is addressed to more than one office, a sufficient number of copies of the text should, when practicable, be supplied to allow of its being telegraphed simultaneously to each office.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

Information as to the number of copies required can always be obtained beforehand from the Telegraph office from which the news is to be sent.

(10) At least 8 hours previous notice should, when possible, be given of the intention to send long news messages of a greater length than 1,000 words. This notice should be given to the Telegraph office at which the news will be handed in, together with the following particulars:—

- (i) Time at which messages will be handed in;
- (ii) length; and
- (iii) addresses.

132. *Stops.*—In Press telegrams, where the sense so often depends upon the punctuation especially in the case of long messages, full stops will be signalled free of charge, but this privilege will not be extended to other signs of punctuation.

133. The Press telegram rates apply only to telegrams which satisfy all the conditions of Rule 131, and any subsequent claim made by the Telegraph Department for the difference between Press and full Inland rates must be satisfied immediately on demand.

134. *Press telegrams accepted without prepayment.*—¹[Press telegrams may be accepted without prepayment] provided that any newspaper or news agency which may desire the facility obtains previous sanction from the Director-General of Telegraphs, and deposits a sum of money in cash, or Government Promissory Notes, as detailed below:—

- (i) *If the accounts are to be rendered monthly*, the equivalent of eight weeks' transactions subject to a minimum of Rs. 50.
- (ii) *If the accounts are to be rendered fortnightly*, the equivalent of six weeks' transactions subject to a minimum of Rs. 50.

The accounts for the messages sent without prepayment will be rendered by the ²[Assistant Accountant-General, Telegraph Check Office, Calcutta], and must be paid within one week of the date on which they are received.

¹ Substituted by Notification No. 9987—172, dated the 22nd November, 1913, see Gazette of India, 1913, Pt. I, p. 1116.

² Added by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd.

135. *Railway Offices.*—Except in the case of such Railway Administrations as may be willing to accept Press messages for transmission within the limits of their respective Railways, when the wires are not occupied by telegrams on the business of the Railways, the Press Telegram Rules do not apply to Licensed Telegraph Offices. Press messages cannot be transferred from one telegraph system to another (Rule 14).

136. *Delivery.*—Press telegrams of either class are sent out for delivery as soon as received, by day or by night.

RECORDS.

137. *Period of preservation.*—The originals of telegrams and documents relating to them are kept for ¹[seven days] only in Government Telegraph Offices, after which time they are sent to the *Check Office, Indian Telegraph Department, Calcutta*, where they are preserved for three months (except in the case of offices situated on the Frontier beyond Kashmir and on the extreme limits of Burma, the records of which are preserved for four months) from the month following that in which the telegram was handed in, and then destroyed.

138. *Secrecy.*—The originals or copies of telegrams can only be communicated to the Sender, or to the Addressee, after proof of identity, or to the authorised representative of either of them.

139. *Copies.*—The Sender or the Addressee of a telegram, or the authorised representative of either, has a right to be furnished with a certified copy of the original telegram or of the copy delivered at destination, on application to the Telegraph Office within ¹[seven days] or to the ²[Assistant Accountant-General, Telegraph Check Office, Calcutta], within the period of preservation (Rule 137). This right lapses after expiration of the time fixed for preserving the records.

140. A fixed charge of four annas is made for every copy furnished in conformity with Rule 139, if the telegram does not exceed 100 words. Over 100 words, this charge is increased by four annas for each 100, or fraction of 100 words.

141. Copies cannot be supplied unless the Senders, the Addressees, or their authorised representatives furnish the necessary information to enable the telegrams to which their requests refer, to be found.

¹ Substituted by Notification No. 574-22, dated the 22nd January, 1911, see *Gazette of India*, 1911, Pt. I, p. 15

² Substituted by Notification No. 2550-47, dated the 27th April, 1910, see *Gazette of India*, 1910, Pt. I, p. 329

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

142. *Extended preservation.*—On the ground of pending or contemplated judicial proceedings, application may be made by an interested party to the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta], for the preservation of specified telegrams exchanged between other persons. Such application must be made within the period of preservation, and such telegrams will then be preserved for a period of three months beyond the ordinary date for destruction under Rule 137; at the expiration of this further period, they will, in default of a renewed application, be destroyed. It must be understood that the duty of the Telegraph Department in the matter is confined to making the search and preserving the telegrams, if found. No information as to the result of the search will be furnished, and any telegrams answering the description given which may be found, will be produced only on the order of a competent Court of law or other competent authority.

143. *Fees for searching for telegrams.*—Should the particulars furnished be insufficient to enable the Check Office at once to trace the telegrams applied for under either Rule 139 or Rule 142, the cost of searching for them must be deposited by the applicant. A fee of one rupee is charged for searching through the telegrams of any Telegraph Office for one day: thus, if it be required to examine the telegrams of two Telegraph Offices over a period of five days, the searching fee will be ten rupees.

REFUNDS.

144. *State telegrams.*—No refunds will, under any circumstances, be made for a State telegram of any class, except in the case of overcharge provided for in Rule 149.

145. *Private telegrams.*—Refunds of the following charges on Private telegrams are made to those who originally paid them on receipt of an application for such refund, or of a complaint against the service:—

- (a) The full charge paid for every telegram which, through the fault of the Telegraph service, has failed to reach its destination.
- (b) The full charge paid for every *Express* telegram which has been subjected to serious delay through the fault of the Telegraph service.
- (c) The full charge paid for every collated telegram (Rule 103) which, owing to errors made in transmission, has manifestly failed to accomplish its object, unless the errors have been

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

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THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

rectified by paid Service Advices under Rule 44. No refund is granted for errors made in the transmission of uncollated telegrams.

In the cases provided for in clauses (a), (b) and (c) the refund applies only to the charge of the actual telegrams not delivered, delayed or mutilated, including the supplementary charges not utilised, but not to telegrams necessitated or rendered useless by such non-delivery, delay or mutilation—

- (d) The full amount of every sum prepaid for a reply (Rule 93) when the addressee has not made use of the Reply telegram form or has refused it (Rule 97), or, when the Reply telegram form has been used, the difference, if it be not less than eight annas between the value of the Reply telegram form and the cost of the reply (Rule 95).
- (e) The full amount of every sum prepaid for a reply to a telegram which has not been delivered (Rule 98). The Sender should forward with his application for refund—*see* Rule 148—the receipt granted for the original telegram, and the report of non-delivery received by him.
- (f) The full charge for every telegram with prepaid reply which has manifestly been unable to fulfil its object owing to a service irregularity which warrants the return of the charges for the reply; also the full charges for every prepaid reply which has manifestly been unable to fulfil its object owing to a service irregularity which warrants the return of the charges for the original telegram.
- (g) The supplementary charges pertaining to any special service which has not been rendered, as well as the charge for the corresponding supplementary instructions.
- (h) The full charge paid for every paid Service Advice sent under Rules 44 and 45, if the repetition shows that the word or words repeated were transmitted incorrectly at first.
- (i) The full charge for every other Paid Service Advice sent under Rules 44 and 45, necessitated by an error of the Telegraph Service.
- (j) The value of excess stamps affixed by the Sender (Rule 74).
- (k) The value of the stamps affixed to a telegram cancelled before transmission, less a fee of two annas (Rule 77).

146. No refund is made for the telegram which has given occasion to a request for correction, nor are any refunds made for rectifying or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

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completing telegrams exchanged direct between the Sender and Addressee (Rule 45).

147. In case of a partial refund on account of a multiple telegram, the total charge collected is divided by the number of copies, and the quotient represents the charge appertaining to each copy, the telegram itself counting, in this respect, as one copy.

148. (1) ¹[Every claim for refund respecting telegrams should be addressed to the *Assistant Accountant-General, Telegraph Check Office, Calcutta*, and every complaint respecting telegrams to the *Director General of Telegraphs, Traffic Branch, Calcutta*, within two months from the date of the telegrams.]

Provided that claims for refunds on account of Paid Service Advices (Rule 46) may be made to the Telegraph Department Offices and Combined Post and Telegraph Offices * * * *² from which such advices were booked within ³[seven days] from the date of the telegram.

(2) Every such claim and complaint shall be accompanied by documentary evidence, namely:—

- (a) in case of non-delivery or of delay, by a written statement from the office of destination, or from the Addressee;
- (b) in case of alteration or omission, by the copy of the telegram delivered to the Addressee;
- (c) in case of an unused Reply telegram form (Rule 97), by the Reply telegram form delivered to the Addressee;
- (d) in case of paid Service Advices (Rule 46) by the receipt for the repetition message and the correction memorandum granted in connection therewith by the Telegraph Office of delivery; and
- (e) in case of telegrams stamped in excess by the Sender (Rule 74), or stamped and cancelled before transmission has begun (Rule 77), by the receipt (Rule 69) granted for the telegram.

149. *State and Private.*—When no doubt exists as to an overcharge having been made on an Inland State or Private telegram by the mistake of an official at any Telegraph Office, the over-charge is to be at once refunded by such Office (Rule 74).

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see *Gazette of India*, 1910, Pt. I, p. 321.

² Deleted by Notification No. 1409—23, dated the 17th February, 1912, see *Gazette of India*, 1912, Pt. I, p. 148.

³ Substituted by Notification No. 574—22, dated the 28th January, 1911, see *Gazette of India*, 1911, Pt. I, p. 65.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

SECTION III.

RULES FOR FOREIGN TELEGRAMS.

FOUNDED ON THE INTERNATIONAL TELEGRAPH CONVENTION.

NOTE.—The Articles and Regulations quoted in the margin denote the corresponding Rules in the International Telegraph Convention. Points not specifically provided for in these Rules are dealt with in the manner prescribed in the Convention.

GENERAL.

150. *Foreign Telegrams* are those which are sent to, or received from, places beyond Indian limits. Such telegrams are subject to the regulations laid down by the *International Telegraph Convention*, to which the Government of India is a party. None of the parties to the Convention accept any responsibility on account of Foreign telegrams. (For tariffs and rates, see Rules 234 to 237.)

151. *Legibility and Forms*.—To secure accuracy and rapidity of Transmission, Senders of telegrams are advised to write them in a clear and unmistakable hand, and on the proper forms, which can be obtained, free of charge, at all Telegraph Offices (Rule 4). Telegrams written on plain paper are, however, accepted at all Offices.

NOTE.—Books containing 100 forms for Foreign telegrams can be purchased at the principal Government Telegraph Offices; price with counterfoils, two annas, and without counterfoils one anna each.

152. *Offices where Foreign Telegrams are accepted*.—Telegrams for Ceylon are accepted at all Telegraph Offices in India, also at a few Postal Receiving Offices. Telegrams for other countries are accepted at all Government Telegraph Offices, also at a certain number of Railway Telegraph Offices.

153. Foreign telegrams are only accepted at Field Telegraph Offices when fully prepaid in postage stamps, and then at the Sender's risk.

154. Foreign telegrams, except for Ceylon, cannot be accepted at any Railway Telegraph Office at places where there is also a Government Telegraph Office.

155. *Objectionable telegrams*.—The parties to the Convention reserve to themselves the right of stopping the transmission of any Private telegram which may appear dangerous to the security of the State, or contrary to the laws of the country, to public order, or decency. The Terminal or any Intermediate Office may exercise this control on condition of immediately advising the Office of origin. Telegrams intended for a re-forwarding agency referred to in Rule 190, and which have been wrongly accepted, must be stopped by the office of delivery.

Art. 7 and
Reg. XLV,
and 2.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

Reg. XLV, 4. 156. Telegraph Offices in India are required to refuse to accept any telegram which appears to be of the above character. Should the character of a telegram be open to doubt, the matter will be referred to a Secretary to Government, if the telegram be tendered at a seat of Government, or to the Chief Civil or Military Officer if tendered at another place.

Art. 8 and
Reg. XLV, 1. 157. Each of the contracting Governments reserves to itself the right to suspend the International Telegraph service for an indefinite period, if it deem necessary, either generally, or only upon certain lines and for certain classes of correspondence.

Art. 5. 158. *General Division.*—Telegrams are divided into four classes:—

- (a) State (or Government) telegrams (Rule 199).
- (b) Service telegrams (Rule 520).
- (c) Private telegrams.
- (d) Press telegrams (Rules 334 to 339).

XXXII, 1. In transmission, State telegrams take precedence of other telegrams, Service telegrams take precedence of Private telegrams, and Private telegrams take precedence of Press telegrams [Rule 334 (2)].

WRITING AND ACCEPTANCE OF TELEGRAMS.

Art. 6 and
Reg. VI, 1. 159. The text of telegrams may be in Plain or Secret language, the latter being sub-divided into Code or Cipher language. Each of these languages may be employed alone or conjointly with the others in the same telegram. All the administrations admit, in all their relations, telegrams in plain language. They may decline to forward or to receive for delivery private telegrams composed either wholly or in part in secret language; but they must allow these telegrams to pass in transit, unless the service be suspended.

Reg. VII, 1. 160. *Plain language* is that which offers an intelligible sense in one or more of the languages authorised for International telegraphic correspondence. The following are the languages authorised for Foreign telegrams in Plain language, subject to the conditions of Rule 173:—

Annamite.	Finish.	Japanese.	Ruthenian.
Arabic.	Flemish.	Latin.	Servian.
Armenian.	French.	Malay.	Siamese.
Bohemian.	German.	Norwegian.	Slavonic.
Bulgarian.	Greek.	Persian.	Spanish.
Croatian.	Hebrew.	Polish.	Swedish.
Danish.	Hungarian.	Portuguese.	Turkish.
Dutch.	Illyrian.	Roumanian.	
English.	Italian.	Russian.	

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

161. Telegrams from India to Ceylon and *vice versa* may be in the Vernacular languages of India or Ceylon, or in any of the above languages.

162. In Private telegrams in any language other than plain *English* or the Vernacular languages of India or Ceylon, the Sender shall certify at the foot of the form (or at the back if more convenient) that the message does not contain combinations or alterations of words contrary to the usage of the language. (*See Rule 230.*)

163. By "*Telegrams in Plain language*" is understood those of Reg. VII, 2. which the text is written entirely in Plain language. Nevertheless, the presence of Code addresses, Exchange quotations, commercial marks, letters representing the signals of the International Code of Signals employed in maritime telegrams, of abbreviated expressions currently used in ordinary or commercial correspondence, such as *resp.*, *job*, *cf.*, *cl*, *ca*, *sup.*, *co.*, *h.*, or any other analogous expression, the meaning of which is understood in the country of origin, does not alter the character of a telegram in Plain language.

164. *Code language* is that which is composed of words which do not form intelligible phrases in one or more of the languages authorised for telegraphic correspondence in plain language. Reg. VIII, 1.

165. The words, whether genuine or artificial, must be formed of syllables c of the foll the current usage of one German, Italian, Dutch, Spanish, ds must not contain the accented letters à, á, â, é, ñ, ò, ü. Reg. VIII, 2.

166. Codes intended for correspondence in Code language may be submitted to the Telegraph Administrations designated for the purpose, in order to allow those interested to obtain an assurance that the words contained in Codes fulfil the conditions of the preceding rule. In India, Code makers may submit their Codes to the Director-General of Telegraphs for submission to the Committee of Control.

167. Words in Code language must not contain more than ten characters according to the Morse alphabet (Rules 173 and 174), the combinations ae, aa, ao, oe, ue, being counted as two letters each. The combination "eh" is also counted as two letters in artificial words. In Indo-Ceylon telegrams, the use of vernacular words is admissible as Code. Reg. VIII, 3.

168. Combinations which do not fulfil the conditions of Rules 165 and 167 are considered as belonging to Letter cipher language Rule 170 (2), and charged accordingly. Compounds composed of two or more words in plain language, combined contrary to the usage of the language are on no account admitted. (*See also Rule 230, et seq.*) Reg. VIII, 4.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

169. In Private telegrams worded in Code language, the Sender shall certify at the foot of the form (or at the back if more convenient) that the Code words are not combinations of two or more words in plain language contrary to the usage of the language.

Reg. IX, 1. 170. *Cipher language* is that which is composed—

- (1) Either of Arabic figures, of groups or series of Arabic figures having a secret meaning, or of letters (excluding the accented letters, ä, á, a^o, é, ñ, ö, ü), groups or series of letters having a secret meaning.
- (2) Of words, names, expressions or combinations of letters not fulfilling the conditions of Plain language (Rules 160 to 163) or of Code language (Rules 164 to 167).

Reg. IX, 2. 171. The employment in one group of figures and letters having a secret meaning is not admitted. It is desirable to avoid the use of Letter cipher, as far as possible, as it is less easy to transmit than pronounceable groups of letters, and is, therefore more liable to error. In cases where it is necessary to employ letter cipher, it should be arranged in groups of five letters in order to facilitate transmission.

Reg. IX, 3. 172. The groups referred to in Rule 163 are not considered as Letter cipher, *i.e.*, as letters having a secret meaning.

Reg. X, 1. 173. *Characters*.—Telegrams must be legibly written in characters which have their equivalents in the official table of telegraph signals, and which are in use in the country where the telegram is presented.

Reg. X, 2. 174. The following are the characters in use in India :—

(a) *Letters.*

A, B, C, D, E, É, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.

Reg. XXXI, 3. Except in Code and Cipher language, the combination “ch” counts as one character of the Morse alphabet; so also do the twin vowels “aa,” “æ,” “ao,” “œ,” and “ue,” commonly used to represent the continental modified vowels á, ä, a^o, ö, and ü.

(b) *Figures.*

1, 2, 3, 4, 5, 6, 7, 8, 9, 0.

There are no telegraphic signals for Roman numerals, such as I, II, etc.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885):

Rules as to Inland and Foreign Telegrams—*contd.*

(c) Signs of punctuation, etc.

Full stop (.), Comma (,), Semicolon (;), Colon (:), Note of interrogation (?), Note of exclamation (!), Apostrophe ('), Hyphen or dash (--), Brackets or signs of a parenthesis (), Inverted commas (" "), Bar of division (/), Underline.

(d) Special Instructions and Conventional Signs.

French.	Abbreviated form.	English meaning.
Réponse payée x	RP x	Reply paid x words (Rule 277)
Collationnement	TC.	Collation or repetition (Rule 284).
Accusé réception télégraphique (télégramme avec)	PC.	Telegram with Telegraphic Acknowledgment Receipt (Rule 289).
Accusé réception postal (télégramme avec)	PCP.	Telegram with Postal Acknowledgment Receipt (Rule 289)
Faire suivre	FS.	Telegram to follow Addressee (Rule 293)
Exprès	Exprès.	Express (Rule 311).
Exprès payé	XP.	Express paid (Rule 315).
Exprès payé x	XPx	Express paid x (Rule 312)
Exprès payé télégraphique	XPT	Express paid, Telegraph (Rules 313 and 314).
Exprès payé lettres	XPP.	Express paid, Post (Rules 313 and 314)
Jour	Jour.	To be delivered during the day only (Rule 260).
Nuit	Nuit.	To be delivered at night.
Poste	Post.	Post (Rules 262 and 309).
Poste recommandée	P.	Post Registered (Rules 262 and 309).
Ouvert	Ouva.	To be delivered open (Rule 267)
Mains propres	..	To be delivered into the hands of the Addressee himself (Rule 256).
Télégraphe restante	TR.	To be kept at Telegraph Office till called for (Rules 258 and 273)
Poste restante	GP.	To be kept at Post Office till called for (Rules 258, 263 and 274).
Poste restante recommandée	GPR.	To be registered and kept at Post Office till called for (Rule 262).
x Adresses	TMx.	x Addresses (Rule 301).
Communiquer toutes adresses	CTA	Communicate all Addresses (Rule 306).
x Jours	..	x Days.

175. *Erasures, etc.*—Every interlineation or insertion, reference, Reg. X, 3. erasure, or re-written word must be authenticated by the sender or by his representative.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

- Reg. XI. 176. *Parts of a telegram.*—The different parts forming a foreign telegram should be written in the following order:—
- (a) Special Instructions (Rules 177—179).
 - (b) The address (Rules 180—194).
 - (c) The Text (Rule 195).
 - (d) The Sender's name (Rule 196).
- Reg. XII, 1. 177. *Special instructions.*—The Sender should write upon the form, in the place provided for the purpose, such of the Special Instructions prescribed in Rule 174 (d) as he may desire to make use of.
- Reg. XII, 2. 178. In the case of a Multiple telegram, the Special Instructions which concern each Addressee should be written immediately before his name; but in the case of a collated Multiple telegram, it is sufficient if the Special Instruction for Collation (Rule 284) precedes the first Address.
- Reg. XII, 3. 179. Special instructions may be written in the abbreviated forms allowed in Rule 174 (d). In this case the counter clerk should place each of them between double dashes, thus:—“=RPx=T. C.,=” and so written they are counted each as one word only [Rule 218 (8)]. When they are written in plain language, they should be in *French*.
- Reg. XIII, 1. 180. *Address.*—Every Address must contain at least two words, the first designating the Addressee, the second indicating the name of the Telegraph Office of destination. The latter should be spelt as in the *Official List of Offices (Nomenclature des bureaux telegraphiques—see Rule 218)*.
- Reg. XIII, 2. 181. The Address must contain all the particulars necessary to ensure the delivery of the telegram to the Addressee. These particulars, with the exception of names of persons, should be written in *French*, or in the language of the country of destination.
- Reg. XIII, 3. 182. The Address of Private telegrams must be such that delivery to the Addressee can be effected without search or inquiry.
- Reg. XIII, 3. 183. For large towns, the name of the street and the number of the house must be given, or, in the absence of these particulars, the profession of the Addressee or any other relevant information.
- Reg. XIII, 3. 184. Even for small towns, the name of the Addressee must, if possible, be accompanied by additional particulars to guide the office of destination in effecting delivery.
- Reg. XIII, 4. 185. When a telegram is addressed to one person care of another, the Address must contain, immediately after the name of the real addressee, one of the indications “*chez,*” “*aux soins de,*” “*c/o,*” “*with,*” “*care of,*” or any other equivalent.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd.

186. The name of the telegraph office of destination must be placed after the words in the address which serve to designate the addressee and, when given, his place of residence. It must be written as it appears in the first column of the official *Nomenclature* of offices. This name can only be followed by that of the country or of the territorial sub-division, or by both of these. In the latter case it is the name of the territorial sub-division which must immediately follow that of the Telegraph Office of destination. Reg. XII, 5.

187. When the name of the Office of destination has not yet been published in the Official *Nomenclature*, the sender must complete the address by the name of the country or of the territorial sub-division, or by any other information which he considers sufficient for the forwarding of his telegram which, however, is only accepted at the sender's risk. This rule applies to the Office of origin also. Reg. XIII, 6.

188. *Telegraph offices in the neighbourhood of London.*—In telegrams addressed to telegraph offices in the neighbourhood of London, the names of which appear in the Official List of Offices (Rule 180), it is not necessary to add the word London in the Address. Telegrams for places in London itself, the names of which do not appear in the Official List of Offices (Rule 180), cannot be accepted unless addressed *London* as the name of the Terminal Office.

189. *Insufficient Address.*—Telegrams, the Addresses of which do not satisfy the conditions laid down in Rules 180 and 187, are refused. Reg. XIII, 9.

190. Telegrams addressed to a telegraph re-forwarding agency, which is known to be organised for the purpose of evading payment of the full rate chargeable for the transmission of telegrams without intermediate re-transmission between the office of origin and their ultimate destination, are not accepted. Reg. XIII, 9.

191. In all cases of insufficient address, telegrams must only be accepted at the Sender's risk, if he persist in demanding transmission. Reg. XIII, 10.

192. In all cases the Sender has to bear the consequences of an insufficient Address. Reg. XIII, 11.

193. *Abbreviated Addresses.*—The Address may be written in an abbreviated form. But the right of an Addressee to have a telegram thus addressed delivered to him is subject to an arrangement made between such Addressee and the Telegraph Office which has to deliver the telegram. For conditions for the registration of Abbreviated Addresses in India, see Rule 32. Reg. XIII, 7.

194. Registered Abbreviated Addresses are treated as Plain language (Rule 221) when occurring in the *Address*, or as the *Sender's name*, in both plain and Code language telegrams, and also in the *text* of Plain language telegrams. When in the *text* of a Code language telegram, they are treated according to Rule 223.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

- Reg. XIV, 1. 195. *Text.*—The text of a telegram may be omitted.
- Reg. XIV, 2. 196. *The Sender's name* is not obligatory; it may be written by the Sender in an abbreviated form in customary use, or replaced by a registered Address.
197. *Signature.*—The true Signature and Address of the Sender (which are not charged for or transmitted) must always be written at the foot of the telegram. In the case of telegrams from a mercantile firm, if the name of the firm is written, it will be accepted, but if stamped, it must be attested by the signature, or initials, of a responsible member of the firm.
- Reg. XIV, 3. 198. The Sender of a Private telegram is bound to prove his identity, if requested to do so by the office of origin.

STATE TELEGRAMS.

- Art. 5. 199. *Definition.*—State (or Government) telegrams are generally defined in the International Telegraph Convention to be those, which emanate from the Chief of the State, Ministers, Commanders-in-Chief of Land or Sea Forces and Diplomatic or Consular Agents of the Contracting Governments; as well as the replies to such telegrams.
200. *From British Officials.*—The only British Government Officials in India who are allowed to send Foreign State telegrams are those who have been specially authorised to do so by the Government of India. A complete list of these Officials is published in the *Telegraph Guide*. Foreign telegrams classed State, tendered by Officials not named in that list, will be treated as Private telegrams. State telegrams to Ceylon will, however, be accepted from all British Government Officials.
- Reg. XV, 2. 201. *Replies to State telegrams.*—The right to send a reply as a State telegram is established by the production of the original State telegram.
- Reg. XV, 3. 202. *From Consular Agents.*—Telegrams from Consular Agents engaged in commerce are only considered as State telegrams, when they are addressed to State Officials, and are connected with the business of the State. Nevertheless, telegrams which do not fulfil the last named conditions are accepted by the offices and transmitted as State telegrams, but these offices immediately report them to their own Administration.
- Reg. XV, 4 and 5. 203. *Language.*—The text of State telegrams may in all circumstances be composed of Secret language. State telegrams which do not fulfil the conditions of Rules 160 to 172 are not refused, but are notified by the office which discovers the irregularities to its own Administration.
- Reg. XV. 204. State telegrams, when they are written wholly or partly in Secret language (Code, or Figure or Letter-cipher), are repeated in their entirety

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by the Receiving Office in the same manner as is done with Collated telegrams (Rules 285 and 286).

SERVICE TELEGRAMS.

205. Service telegrams are those which emanate from the Telegraph Administrations of the Contracting States and which relate, either to the International Telegraph service, or to objects of public interest agreed upon between the said Administrations. Service telegrams are divided into Service telegrams properly so called, and Service Advices. All Service telegrams are transmitted free, except in the cases specified in Rules 206 to 208. Art. 5. Reg. XVI, 1. Reg. XVI, 2.

PAID SERVICE ADVICES.

206. The Sender and Addressee (or the authorised representative of either of them) of any telegram already transmitted or in course of transmission, may, during the period of preservation of records (Rule 340) and after they have proved, if necessary, their right and identity, cause inquiry to be made, or instructions to be given respecting such telegram, by telegraph. They must deposit the following amounts:—

- (a) The cost of the telegram making the request.
- (b) The cost of a telegram for the reply, if a reply by telegraph is necessary.

They may also, with the object of rectification, have a telegram which they have sent or received, repeated entirely or in part, either by the office of destination or origin or by a transit office.

207. In case of a repetition asked for by the Addressee, he must pay the full charge for each word to be repeated. This charge includes the cost of the call and the reply. The Addressee of a telegram may have it repeated from the Frontier Telegraph office in India or Burma (Rule 238) at which it was dealt with, on depositing the charge for the transmission of an Inland *Express* telegram, namely, one rupee if the part to be repeated contains 12 words or less and 2 annas per word if the number of words is greater than 12. A telegram sent at the request of the Addressee, in order to obtain the repetition of a passage suspected to be erroneous, implies always a telegraphic reply, and the insertion of the indication—**RI X**—is not necessary. In other cases, in which a telegraphic reply is requested, this indication must be employed.

¹ Rules 206 and 207 were substituted by Notification No. 1932-151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

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Reg. XVII.
2. 208. Rectifying, completing, or cancelling telegrams, and all other communications relating to telegrams already transmitted, or in course of transmission, when they are addressed to a Telegraph Office, must be exchanged exclusively between the Offices under the form of Paid Service Advices, at the cost of the Sender or the Addressee making the demand.

Reg. XVII.
6. 209. The charges for the abovementioned Service Advices are refunded under the conditions fixed by Rule 348, when the Advices are necessitated by errors of the telegraph service.

Reg. XVII.
7. 210. When the words of which the repetition is requested are written in a doubtful manner, the Office of origin consults, in the first instance, the Sender. If he cannot be found, the office of origin adds to the repetition a note: "Writing doubtful."

Reg. XVII.
7. 211. When the repetition concerns a telegram which has reached the Office of origin from the Sender by telephone, or by a private telegraph wire, that office requests at once from the Sender, a repetition of the words in question. In this latter case, if one or more of the words thus repeated differ from those in the telegram, the office gives the repetition requested in accordance with the corrections made, but inserts after the text of the Service Advice, the indication CTP (*conserver taxe payée*, or retain charge paid) accompanied by an indication of the number of words rectified by the Sender, the charge for which must not be refunded, thus:—CTP one, CTP two, etc.

Reg. XVII.
8. 212. The various communications mentioned above may be made by post through the agency of the Telegraph Offices of origin or destination. They are sent under registered cover at the cost of the person who makes the request, and who should, in addition, pay the cost of a reply by post when he demands one.

COUNTING OF WORDS.

Reg. XVIII.
1. 213. *What is counted.*—All that the Sender writes upon the form to be transmitted to his correspondent is charged for, and consequently included in the number of words. Nevertheless, dashes which only serve to separate upon the form the different words or groups of a telegram are neither charged for nor transmitted. Signs of punctuation, apostrophes, and hyphens are only transmitted and, consequently, charged for on the formal request of the Sender.

Reg. XVIII.
1. 214. When signs of punctuation, instead of being used singly, are repeated one after the other, they are charged for as groups of figures (Rule 195).

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215. *Preamble.*—The name of the Office of origin, the date and time Reg. XVIII, of handing in, the instructions as to the Route, and the words, numbers 2. or signs, which constitute the preamble, and are added by the Telegraph Office for official purposes are not charged for; such of these particulars as reach the Office of delivery appear on the copy delivered to the Addressee.

216. All telegrams are timed by Standard time which, in India is 5½ hours, and in Burma 6½ hours, in advance of Greenwich time.

217. The Sender may insert the particulars referred to in Rule 215, Reg. XVIII, wholly or in part in the text of his telegram, but in that case they will 3. be charged for.

218. In all languages the following are each counted as one word:— Reg XIX, 1.

1. In the address:—

(a) The name of the Telegraph Office of destination when written as given in the first column of the Official Nomenclature of offices or *Nomenclature, des bureaux telegraphiques* (Rule 180) and completed, if necessary, by the particulars also given in that column.

(b) The names of territorial sub-divisions, or countries respectively, if they are written as given in the said *Nomenclature*, or of their alternative names as given in its preface.

(c) Initial letters standing for *prenoms*, Christian names, titles, etc. The joining together of such letters into groups is inadmissible.

2. In Telegraphic Money Orders, the name of the postal issuing office, the name of the postal paying office, and that of the locality where the payee resides.

3. Every Code word which fulfils the requirements of Rules 164 to 167.

4. Every isolated character, letter or figure as well as each sign of punctuation, apostrophe or hyphen, transmitted at the request of the Sender (Rule 213).

5. Underline.

6. Parenthesis (the two signs which serve to form).

7. Inverted commas, i.e., the two signs placed at the commencement and end of one and the same passage.

8. Special Instructions written in the abridged form authorised in Rule 174 (d).

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Reg. XIX, 3. 219. *Plain language.*—If in telegrams in which the text is written entirely in Plain language, any single word or authorised compound contains more than 15 characters according to the Morse alphabet, the excess is counted separately as one word.

220. In Private telegrams in any language other than plain English, or the Vernacular languages of India or Ceylon, the Sender shall certify at the foot of the form (or at the back, if more convenient) that the message does not contain combinations or alterations of words contrary to the usage of the language. (*See Rule 230.*)

221. In Plain language telegrams, Registered Abbreviated Addresses (Rule 194), whether used as the Address (Rule 226), or in the place of the Sender's name, or occurring in the text, are always treated as words in Plain language and counted at the rate of 15 characters to the word.

Reg. XIX, 4. 222. *Code language.*—In Code language the maximum length of a word is fixed at ten characters counted in accordance with the provisions of Rule 167.

Reg. XIX, 4. 223. *Mixed telegrams.*—Words in Plain language inserted in the text of a mixed telegram, *i.e.*, a telegram composed of words in Plain language and words in Code language, must not contain more than ten characters according to the Morse alphabet, and any excess is counted separately as one word in each case.

This rule applies also to proper Names, including Registered Addresses (Rule 194).

Reg. XIX, 4. 224. If the mixed telegram contains, in addition, Cipher language the passages in Cipher are counted according to the stipulations of Rule 228.

Reg. XIX, 4. 225. If the mixed telegram is composed only of passages in Plain language and of passages in Cipher language, the passages in Plain language are counted according to the stipulations of Rule 219, and the passages in Cipher language according to those of Rule 228.

Reg. XIX, 5. 226. The Address or Sender's name in telegrams of which the text is written wholly or partly in Code language is charged according to the stipulations of Rules 218 and 219.

Reg. XIX, 6. 227. *Use of apostrophes and hyphens.*—Words separated by an apostrophe or joined by a hyphen are counted as so many separate words.

Reg. XIX, 7. 228. *Figures, Letter-Cipher and Commercial marks.*—Groups of figures or of letters, commercial marks composed of figures and letters, are counted as one word for each five figures or letters which they contain, plus one word for any excess. Each of the combinations *ae*, *aa*, *ao*, *œ*, *ue* and *ch* is counted as two letters.

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When Commercial marks form part of the text of a telegram, the Sender should certify them to be such at the foot of the form.

229. *Signs used with figures or letters.*—Decimal points or full stops, Reg XIX, 7 commas, colons, dashes and bars of division are each counted as a figure or a letter in the group in which they occur. This also applies to each letter added to groups of figures to form ordinal numbers, as well as to letters or figures added to the number of a house in an address, even in the case of an address in the text or in the signature (*i.e.*, "Person From") of a telegram.

230. *Combinations or alterations of words* contrary to the usage of Reg. XIX, 8, the language are not admitted (Rule 168). The same applies to combinations or alterations sought to be concealed by reversing the order of letters or syllables. Nevertheless, the names of towns and countries, patronymics (family names) of one and the same person, the names of places, squares, boulevards, streets and other kinds of public places; the names of vessels, whole numbers, fractions, decimal or fractional numbers, written entirely in words and compound words admitted as such in the English and French languages and which can, if a question arises, be justified by reference to a dictionary, may be respectively written as single words without either apostrophe or hyphen (Rule 227).

231. *Counting by Office of Origin decisive.*—The counting of words Reg XIX, 9, by the Office of origin is decisive both for purposes of transmission and of the international accounts. When, however, a telegram contains combinations or alterations of one of the languages of the country of destination, or of a language, other than those of the country of origin contrary to the usage of such language, the Office of destination is empowered to recover from the Addressee the amount of the undercharge. In this case the telegram is not delivered to the Addressee until he has paid the undercharge. If the Addressee should decline to pay, a Service Advice is sent to the Office of origin, explaining the cause of non-delivery and mentioning the amount of the undercharge due. Should the Sender, duly notified of the reason for non-delivery, agree to pay the undercharge, a Service Advice is sent to the Office of destination, which then delivers the telegram.

In applying this Rule in India the language of the country is considered to be *English, French or Portuguese*, and in the case of telegrams addressed to certain offices in *Persia, Persian*. The Rule applies also to the vernaculars in case of telegrams from Ceylon (Rules 161 and 167).

232. *Inadmissible groups or words.*—When the Office of origin dis- Reg. XIX, covers, after the charge has been collected, that a telegram contains 10, either inadmissible combinations or alterations of words, or expressions, or words which although not fulfilling the conditions of Plain or Code language, have been charged for as belonging to those languages, it applies to these expressions or words, for the calculation of the under-

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charge to be recovered from the Sender, the rules to which they should have been respectively subjected. The combinations or alterations are counted in accordance with the number of words which they would contain if they were written in the usual manner. The Office of origin acts in the same manner when the irregularities are brought to its notice by a transit office or by the Office of destination. Nevertheless, neither of these two latter offices may delay the forwarding or delivery of the telegram, except in the case provided for in Rule 231.

¹232A. *Surnames*.—Names, such as Macdonald (or McDonald), FitzGerald, O'Neil, DeMorgan, D'Cruz, De la Rue, St. John, Van de Brande, Du Bois, will be counted as one word each, even though written with capital medial letters. They will however be signalled as single words without break, the apostrophe (where used) being omitted.

Reg. XX, 1.

233. *Examples of counting*.—The following examples show how the rules for counting words are to be interpreted:—

	No. of Words.	
	In Address.	In Text.
New York *	1	2
Newyork	1	1
Frankfurt Main *	1	2
Frankfurtmain	1	1
Sanct Poelten *	1	2
Sanctpoelten	1	1
Emmingen, Bz. Hannover *†	1	2
Emmingen, Wurttemberg *†	1	2
New South Wales *	1	3
Newsouthwales	1	1
XP 250 (<i>Special Instruction in abridged form</i>)	1	..

* In the address these several expressions are joined together by the counter clerk if the sender has not already done it himself.

† Bz. *Hannover* and *Wurttemberg* following *Emmingen* serve to complete the designation of two Offices of the same name, and are so printed in the first column of the *Official Nomenclature* (Rules 180 and 218).

¹ Rule 232A was added by Notification No. 4518—123, dated 23rd June, 1910, see Gazette of India, 1910, Pt. I, p. 512.

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	Number of Words.		Number of Words.
1 * * * *		Prince of Wales (<i>ship</i>) . . .	1
1 * * * *		8 (<i>1 character</i>) . . .	1
1 * * * *			
1 * * * *			
Belgrave Square	2	411-2 (<i>5 characters</i>) . . .	1
Belgrave Square (<i>contrary to the usage of the language</i>).	2	411/2 (<i>6 characters</i>) . . .	2
Hyde Park	2	414 5 (<i>5 characters</i>) . . .	1
Hyde Park (<i>contrary to the usage of the language</i>)	2	414-55 (<i>6 characters</i>) . . .	2
Hyde Park Square *	2	41/2 (<i>4 characters</i>) . . .	1
Hyde Park Square (<i>contrary to the usage of the language</i>).	2	44/ (<i>3 characters</i>) . . .	1
St. James Street	3	2% (<i>1 character</i>) . . .	1
Saint James Street	2	2 P%	3
Rue de la Paix	4	2% (<i>5 characters</i>) . . .	1
Rue de la Paix	2	2 P%	3
Responsabilité (<i>14 characters</i>)	1	51-53 (<i>5 characters</i>) . . .	1
Kriegsgeschichten (<i>15 characters</i>)	1	17mo (<i>1 character</i>) . . .	1
Inconstitutionnalité (<i>20 characters</i>)	2	17th (<i>1 character</i>) . . .	1
Wiegeht's (<i>instead of wie geht es</i>)	3	16 1529to (<i>1 word and a group of 6 characters</i>)	3
A-t-il	3	The 1529th (<i>1 word and a group of 6 characters</i>)	3
C'est-à-dire	4	Dixcinqanto	1
Aujourd'hui	2	10 francs 50 centimes (or) 10 fr. 50c.	4
Aujourd'hui	1	10 shillings 10 pence (or) 10s. 10d.	4
Porte-monnaie	2	10ls. 10ls.	4
Portemonnaie	1	10 fr. 50	3
Prince of Wales (<i>ship</i>)	3	1s. 10	3

* In this case the expression *Hyde Park*, written as a single word, counts as only one word because the word *park* forms an integral part of the name of the square.

† Omitted by Notification No. 4518-123, dated 22d Jan., 1890, as corrected India, 1910, Pt. I, p. 212.

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	Number of Words.		Number of Words.
10 Rs. 10	3	E	1
fr. 10, 50	2	Emvthf (6 characters)	2
s. 10, 10	2	Emvchf (6 characters)	2
Rs. 10, 10 (or) Rs. 10/10	2	GHF (Commercial mark or secret language) a group of 3 characters.	1
11h. 30	3	G.H. F. (Commercial mark or secret language) ; a group of 6 characters.	2
11-30	1	G. H. F (Without final stop) (Commercial mark or secret language) ; a group of 5 characters.	1
Eight/10	2	GHF 45 (Commercial mark) ; a group of 5 characters.	1
Huit/10	2	G. H. F. 45 (Commercial mark) ; a group of 8 characters.	2
5/douziemes	2	E. M. (Isolated letters, initials of Christian names).	2
5/twelfthths	2	E M (Initials of 2 Christian names wrong combination).	2
May/August	3	197a/199a (Commercial mark ; a group of 9 characters).	2
5 bis (number of house)	1	AP/M (Commercial mark or secret language) ; a group of 4 characters.	1
15A (number of house)	1	3/M (Commercial mark) ; a group of 3 characters.	1
15—3 or 15/3 (number of house)	1	The business is very urgent ; come without delay. 8 words and 2 underlines.	10
30a (30 exposant a) *	3	Received news of you indirectly (very bad) telegraph immediately (9 words and 1 passage within parenthesis).	10
30a 30 (to the power a) *	6	Received letter from Pera reliable source which says "conversion business hindered by syndicate bankers." (14 words and a passage in inverted commas).	15
15 × 6 (15 multipliè par 6)*	4		
15 × 6 (15 multiplied by 6)	4		
Two hundred and thirty-four	5		
Two hundred and thirty four (23 characters).	2		
Troisdeuxtiers	1		
Unneufdixiemes	1		
Deux mille cent quatre-vingtquatorze	6		
Deux mille centquatrevingtquatorze (32 characters).	3		

* The telegraph is not able to reproduce such expressions as 30a, 15 × 6, etc. Senders of telegrams must therefore replace them by the full signification, thus :—30 to the power a, 15 multiplied by 6, etc.

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TARIFFS AND CHARGES.

234. *Tariffs.*—The franc is the monetary unit employed in Foreign Tariffs, and all accounts with Foreign Administrations are settled in gold. Charges in India are collected at the standard rate of Rs 15 = £ 25 Francs. The Tariffs for telegrams are made up of the shares of the different Administrations concerned, which may alter them from time to time. The tariffs vary also according to the Route employed (Rules 246 to 250). Art. 10, and
Reg. XXII.
Reg. XXVII.
5, 6.

235. *Charge by the word.*—The charge for a telegram is by the word Reg. XXIII. puro and simple, and the minimum charge is for a telegram of two words¹. (Rules 180, 195 and 196). Tables showing the rates per word to Foreign countries are published in the Telegraph Guide.

236. *Cancelled, see Notification No. 4553—67, dated 25th June, 1910, Gazette of India, 1910, Pt. I, p. 538.*

237. *Tariff Areas.*—For Tariff purposes India is divided into two areas, namely, India Proper and Burma. When, in the course of transmission, a Foreign telegram has to traverse both of these areas, the charge per word is always two annas higher than when it has to traverse only one.

238. *Frontier Offices.*—The Frontier Offices, or Offices which directly exchange telegrams with Foreign Administrations, are as follows:—

- (a) Bombay, Karachi, and Madras in the Indian area, which exchange telegrams with the Eastern Telegraph Company, the Indo-European Telegraph Department, and the Eastern Extension, Australasia and China Telegraph Company, respectively, ¹[Madras which works Colombo direct is considered the Frontier Offices for Ceylon;]
- (b) Moulmein and Rangoon in the Burma area, which exchange telegrams with the Siamese Administration;
- (c) Bhamo in the Burma area, which exchanges telegrams with the Chinese Administration.

All Foreign telegrams originating in India or Burma have to pass through one or other of these Frontier Offices.

239. *Prepayment of charges.*—The charges for telegrams must be pre-paid with the exception of the additional charges on telegrams to follow Reg. XXIX. (Rule 298), the charge for delivery by special messenger (Rule 310), Semaphoric telegrams received from ships (Rule 328) and extra charges for alterations or illegal combinations of words discovered by the Office of destination (Rule 231), all of which are recovered from the Addressee.

¹ Substituted by Notification No. 6062—133, dated the 10th August, 1912, *see* Gazette of India, 1912, Pt. I, p. 629

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Reg. XXIX, 2. 240. *Receipts.*—The Sender of a telegram can claim a receipt showing the amount paid. Senders of telegrams should examine their receipts to see if they are correct. Duplicate copies of receipts for telegrams are never given.

Reg. XXIX, 4. 241. *Recovery of bearing and other Charges from Addressee.*—In every case where charges have to be collected on delivery, the telegram is only handed to the Addressee upon payment of the amount due.

242. *State telegrams.*—The rule about prepayment (Rule 239) is relaxed in case of State telegrams of great emergency from British Government Officials who have been duly authorised (Rule 200) to send Foreign State telegrams. Whenever a telegram is sent without prepayment under this Rule, the Sender must take the necessary steps to ascertain the charges on it, and pay them into the Telegraph Office within twenty-four hours.

243. *Cash or Stamps.*—At Offices authorised to accept Foreign telegrams, the charges must be paid in cash or stamps (*see* Rule 64). At Departmental Telegraph Offices, telegrams can be accepted on the Deposit Account system. (For particulars *see* Rule 65.)

Reg. XXX, 1. 244. *Under-charges* made in error, and charges and expenses not recovered from the Addressee in consequence of his refusal to pay them, or the impossibility of finding him, must be made good by the Sender, except when the rules provide otherwise (*see* Rule 299).

Reg. XXX, 2. 245. *Over-charges* made in error are returned to those entitled to them. No refund, however, is made of the value of the stamps in excess affixed by the Sender, unless he applies for it to the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta], and sends with his application the Receipt granted for the telegram.

ROUTE.

g. XLI, 1.² 246. The different Routes by which telegrams may be transmitted are indicated by concise directions in the Tariff Tables published in the *Telegraph Guide*.

Reg. XLI, 2. 247. The Sender who wishes to prescribe the Route should write the corresponding direction on the telegram. The Sender may specify the actual Route to be followed or mark the telegram *Best Route* or *Cheapest Route*. Indications as to Route are transmitted free (Rule 215).

Reg. XLI, 3. 248. When the Sender has prescribed the Route to be followed, the Telegraph Offices concerned are bound to carry out his wishes, unless the Route named be interrupted, or transmission by it seems likely to

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, *see* Gazette of India, 1910, Pt. I, p. 321.

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involve serious delay, in which cases, the Sender cannot raise any objection to the employment of another Route.

249. If, on the contrary, the Sender does not prescribe the Route, the telegram is sent by the best working route for which sufficient charges have been received. Where the charges are the same, the Offices where Routes diverge will decide by which to forward the telegram. Reg. XLI, 4.

250. When the forwarding of a telegram can be effected by several routes belonging exclusively to the same Administration, it rests with that Administration, in the case of private correspondence to decide, in the best interests of Senders, in which direction the telegram shall be forwarded over its lines. The Senders cannot, in this case, request specially the employment of one of the routes in question. Reg. XLI, 5.

INTERRUPTION OF TELEGRAPHIC COMMUNICATION, TRANSMISSION IN DUPLICATE.

251. When an interruption to the regular means of telegraphic communication occurs during the transmission of a telegram, the office beyond which the interruption exists, or an office situated further back and having at its disposal an alternative telegraph route, immediately sends the telegram by such a route, or, failing that, by special messenger or by post (*registered*, if possible). Reg. XLII, 1.

252. If it is found that a telegram cannot be sent to its destination owing to interruption of the specified route taking place after the telegram was accepted, the Sender will be communicated with and asked to pay the additional charge if he wishes his telegram diverted to a more expensive route.

253. An office which has recourse to means of re-transmission other than telegraphic addresses the telegram according to circumstances, either to the nearest telegraph office able to retransmit it or to the office of destination, or to the addressee himself, when this re-transmission takes place within the limits of the State of destination. As soon as communication is re-established, the telegram is transmitted afresh by telegraph, unless its receipt has been previously acknowledged, or unless, on account of an exceptional accumulation of traffic, this re-transmission would be manifestly prejudicial to the general service. Reg. XLII, 3.

CANCELLATION OF A TELEGRAM AT THE REQUEST OF THE SENDER.

254. *Before transmission.*—The Sender of a telegram or his authorised representative can, on proving his identity, stop its transmission, if in time. Reg. XLIV, 1.

255. When he cancels it before transmission has begun the charges are returned, less a fee of two annas. Reg. XLIV, 2.

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256. If the stamps have already been defaced, the refund can be made only by the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta,] to whom the Receipt should be sent with an application for refund.

Reg. XLIV,
3.

257. *After transmission.*—If the telegram has been transmitted by the Office of origin the Sender can only request that it be cancelled by a Paid Service Advice, forwarded in accordance with Rule 206 and addressed to the office of destination. The Sender must pay, at his option, the cost either of a telegraphic or of a postal reply to the notice of cancellation. So far as is practicable, this Service Advice is transmitted successively to the offices through which the original telegram has transited until it overtakes the latter. Failing contrary indication in the Service Advice if the telegram has been delivered to the Addressee, he is informed of the cancellation of the telegram. The Office which cancels the telegram, or which delivers the notice of cancellation to the Addressee advises the office of origin accordingly. The information is given by telegraph, if the Sender has paid for a telegraphic reply to the notice of cancellations, in the contrary case, it is sent by post as a paid letter. If the telegram is cancelled before having reached the Office of destination, the charges for the original telegram, for the Service Advice of cancellation, and for any telegraphic reply prepaid to such Advice in respect of the distance not traversed, will be refunded to the Sender on application to the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta].

DELIVERY AND DESTINATION.

Reg. XLVI,
1.

258. *According to Address.*—Telegrams are delivered according to their Address either at the residence of the Addressee or *Poste restante* or *Telegraphe restante* (Rules 262, 273 and 274).

Reg. XLVI,
2.

259. *Order.*—Telegrams are in all cases, delivered at, or sent to, their destinations in the order of their receipt.

Reg. XLVI,
3.

260. *Free delivery limits.*—Telegrams addressed to a place of residence within the delivery limits of the Telegraph Office are at once taken to their Address. Telegrams bearing the Special Instruction *Jour* or *Day* [Rule 174 (d)] are not, however, delivered during the night. Those which are received during the night are only obligatorily delivered at once when they bear the instructions "*Nuit*" or "*Night*," or when the delivery office is in a position to recognise that they appear to be really urgent. In India, Foreign telegrams are classed as "*Express*," and are delivered at any hour of receipt, provided the office of destination is open for traffic at the time. They are delivered free of charge within five

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

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miles of a Telegraph Office. Beyond that limit, the post is employed, without charge, unless a special means of delivery has been paid for by the Sender, or requested by the Addressee [Rule 319 (a)].

261. *Reply given to messenger.*—In India, the telegraph messenger who delivers a telegram may be entrusted with the Reply, provided he be not detained for this purpose more than five minutes. The fact of the reply having been given to the messenger and the amount paid to him should be mentioned on the Receipt signed for the telegram.

262. *Delivery by post.*—Telegrams which have to be deposited at the Post Office, i.e., *Poste restante*, or =GP=, (or *Poste restante recom-mandée* or =GPR=) are sent immediately to the Post Office by the Telegraph Office of destination under the conditions fixed by Rules 317 and 318. In India, all Foreign telegrams which have to be posted to destination are posted as registered letters. Reg. XLVI.

263. *Delivery on ships.*—Telegrams addressed to passengers on board a vessel arriving at port are delivered, if possible, before disembarkation. Reg. XLVI.

264. When a telegram in India has to be delivered on board a ship which cannot be reached without a boat (i.e., when not alongside a wharf, pier or jetty), or at a place which cannot be reached without a boat, the cost of boat-hire must be paid by the Addressee (Rule 310).

265. *Cancelled by Notification No. 4215-96, dated 9th June, 1910,* see *Gazette of India, 1910, Pt. I, p. 468.*

266. *Persons to whom telegrams may be delivered.*—A telegram taken to the Addressee's place of residence may be delivered either to the Addressee, the adult members of his family, any person in his service, to his lodgers or guests, or to the porter of the hotel or house, unless the Addressee has named in writing a special person, or the Sender has requested, by writing in the space provided on the form the Special Instruction *Mains propres* or "Addressee only" or =MP= [Rule 174 (d)], that the telegram be delivered only into the hands of the Addressee himself. In this case the office of destination writes the instruction "Addressee only" in full on the envelope, and gives the necessary instructions to the messenger. Reg. XLVII.

267. *Open delivery.*—The Sender may also request that the telegram be delivered open, by writing in the space provided on the form the Special Instruction *Open* or "Open" [Rule 174 (d)]. The request is reproduced on the copy handed to the Addressee, which is delivered, in India, without an envelope, simply folded with the Address written on the back. Reg. XLVII.

268. *Undelivered telegrams.*—When a telegram cannot be delivered, the Office of destination, after a brief delay, sends a Service Advice to the Office of origin, stating the cause of non-delivery, and repeating the

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Address exactly as received. If necessary, this Advice is completed by stating the reason for refusal (Rule 231), or by indicating the charges to be claimed from the Sender [Rules 296, 299 and 311]. No Advice is sent under this rule where a telegram duly posted under Rule 320 is returned by the Post Office as undelivered or on telegrams addressed *To await arrival, Télégraphe restante or Poste restante*, except when a charge has to be collected, when the Service Advice of non-delivery is sent by ordinary paid letter at the expiration of the period for retaining such correspondence.

Reg. XLVII, 269. The Office of origin verifies the correctness of the Address, and, if it has been mutilated, rectifies it immediately by a Service Advice. If required this Service Advice contains instructions necessary to correct any errors committed, such as, "send on to destination," "cancel telegram," etc.

Reg. XLVII, 5. 270. If the Address has not been mutilated, the Office of origin communicates the notice of non-delivery to the Sender, whenever possible. A notice of non-delivery is only re-transmitted by telegraph if the Sender of the original telegram has asked that his telegrams may be redirected to him by telegraph (Rule 299). In all other cases the notice is re-directed by post in the form of a letter, if the Sender is known. In India, Advices of non-delivery which are to be posted are posted free of charge. The receiver of a notice of non-delivery can only complete, rectify or confirm the Address of the original telegram by a paid telegram in the form of a Paid Service Advice (Rule 206).

Reg. XLVII, 6. 271. If it becomes possible to deliver a telegram after transmitting an Advice of non-delivery without having received one of the rectifying Advices referred to in Rules 269 and 270, the Office of destination sends a second Service Advice to the Office of origin, stating that the message has been delivered. This information is communicated to the Sender if he has received a notice of non-delivery. This second Advice is not sent when delivery is notified by telegraphic acknowledgment of receipt (Rule 290).

Reg. XLVII, 7. 272. If the messenger finds no person who will consent to receive the telegram for the Addressee, a notice is left at the address given and the telegram is taken back to the Telegraph Office to be delivered to the Addressee, or any person authorised by him to take delivery of it, upon application from either. When the Addressee advised as in the previous rule of the arrival of a telegram, does not take delivery within 24 hours,

Reg. XLVII, 8. non-delivery is reported in accordance with Rule 268.

Reg. XLVII, 9. 273. *Télégraphe restante*.—When a telegram is addressed *télégraphe restante*, it is delivered to the Addressee or his duly authorised representative, over the telegraph counter.

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274. *Poste restante*.—Telegrams addressed *Poste restante*, and those Reg. XLVII, which are to be delivered by post are, as regards delivery and period of ^{10.} preservation, subject to the same rules as postal correspondence.

275. Any telegram which cannot be delivered to the Addressee within Reg. XLVI, a period of forty-two days from the date of its receipt at the delivery ^{1.} office is, subject to the provisions of Rules 274 and 332, not kept by the Office of destination.

276. *Directions about delivery*.—For the registration of standing instructions regarding the delivery of telegrams during fixed hours, the same fee as for the registration of an Abbreviated Address is levied (*vide* Rule 32). If the fee for a registered Abbreviated Address has already been paid, that fee will cover the registration of special delivery instructions. In the case of Government officials, no charge is usually made for the registration of abbreviated addresses, but they will be required to pay the prescribed fee for the registration of standing instructions regarding the delivery of telegrams during fixed hours.

SPECIAL TELEGRAMS.

(A) Prepaid Replies.

277. The Sender of a telegram can prepay the reply which he requests Reg. XLIX, from his correspondent by writing on the form in the space provided, the Special Instruction *Réponse payée* or Reply paid or =RP= and adding the number of words he wishes to prepay thus: *Réponse payée x*, or Reply paid *x* or =RP*x*=. The charge for the reply is calculated on the supposition that it will follow the same route as the original telegram.

278. A reply of less than two words cannot be prepaid (Rules 180, 195, and 196).

279. At the place of destination, the Delivery Office delivers to the Reg. L. 1. Addressee a reply telegram form or voucher of a value corresponding to the cost of a telegram of a number of words equal to that given in the Special Instructions, intended for the office of origin of the reply paid telegram and to be sent by the same route as the latter. This Reply telegram form carries the right of sending, within the limit of its value, a telegram to any destination whatever, from any telegraph office of the Administration whose office has issued the Reply telegram form or voucher. Two or more Foreign Reply telegram forms may be used to frank one foreign telegram, but one Reply telegram form may not be used to frank two or more telegrams.

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Reg. L, 2.

280. If the reply exceeds the amount notified in the Reply telegram form, the difference must be paid in cash or stamps by the Sender of the reply. If, on the other hand, the amount notified in the Reply telegram form exceeds that of the reply, the difference is refunded by the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta,] to the Sender of the original telegram, if he apply for it within three months from the date of issue of the Reply telegram form, and provided that such difference is not less than ten annas. This refund is only made on the authority of the Administration which delivered the original telegram. If the telegram with deposit for reply originated in India, the refund of the unused portion is made to the Sender by the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta.]

Reg. L, 3.

281. The Reply telegram form may only be used in payment for a telegram during a period of forty-two days following the date of its issue.

Reg. L, 4.

282. When the Addressee has not made use of the Reply telegram form for any reason whatever, or has refused it, the money deposited for the Reply can be refunded to the Sender under the conditions of Rule 348 (h). In case of a Reply telegram form delivered in India, the Addressee should, before the expiration of three months from the date of issue, send the Reply telegram form to the Check Office, as above, accompanied by a claim for refund in favour of the Sender.

Reg. L, 5.

283. When, from any cause, a Reply paid telegram cannot be delivered, the Reply telegram form remains attached to the telegram during the period of retention fixed by Rule 275. At the end of this period, the Administration of destination will initiate the refund if the amount paid is not less than ten annas. The amount of the Reply telegram form is nevertheless refunded to the Sender if he apply for it before the expiration of this period. In this case, the delivery office cancels the Reply telegram form, and the telegram, endorsed accordingly, is preserved during the prescribed period (Rule 275).

(B) Collated (or Repeated) Telegrams.

Reg. LI, 1.

284. The Sender of a telegram can require that it be collated (or repeated). In this case he should write in the space provided on the form the Special Instruction *Collatiennement* or "Collation" or =TC=.

Reg. LI, 2.

285. State and Service telegrams written in Sereet language are invariably collated free of charge.

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

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286. Collation consists in the entire telegram (including the preamble) being repeated back immediately on its receipt by each Office concerned in its transmission. Reg. LI, 3.

287. The charge for collation is equal to one-fourth of that of a telegram of the same length by the same Route, fractions of half an anna being reckoned as half an anna. Reg. LI, 4.

[The Sender can have the telegram repeated between the office of origin and the Frontier Telegraph office in India or Burma (Rule 238) at which it is dealt with, on payment of a charge equal to the rate for an Inland *Express* telegram of the same length.]

(C) *Acknowledgments of Receipt.*

288. The Sender of a telegram can require that a notice of the date and time at which his telegram is delivered to the Addressee shall be notified to him as soon as possible after its delivery. When the telegram is forwarded to its final destination by post, deposited *poste restante*, or delivered to some intermediate agency, this notice mentions the date and time of such forwarding, deposit, or delivery. Reg. LII, 1.

289. The notice is sent by telegram if the Sender writes in the space provided on the form the Special Instruction *Accusé réception*, or "Acknowledgment receipt," or =PC=, and pays a charge equal to that of a telegram of five words for the same destination by the same Route. It is sent by post if the Sender writes in the space provided on the form the Special Instruction *Accusé réception postal*, or Postal Acknowledgment receipt, or =PCP=, and pays a charge of 2½ annas for postage. Reg. LII, 2.

290. In the case of non-delivery provided for in Rule 268 the Acknowledgment of Receipt is preceded by the Service Advice required by that rule. The Acknowledgment of Receipt is detained during the period prescribed in Rule 275, or is transmitted after the delivery of the telegram, if that becomes possible. At the expiration of this period, if the telegram has not been delivered, the Administration of origin officially initiates the refund of the charge for the Acknowledgment of Receipt. Reg. LIII, 3.

291. A Postal Acknowledgment of Receipt contains the same information as a Telegraphic Acknowledgment of Receipt. It is sent by the office of delivery to that of origin in a prepaid envelope endorsed "Accusé de réception" or "Acknowledgment of Receipt." Reg. LIII, 4.

292. The Acknowledgment of Receipt, telegraphic or postal, when it reaches the Office of origin of the telegram, is notified to the Sender. Reg. LIII, 5.

¹ Added by Notification No. 1932-151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

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When the Acknowledgment of Receipt has reference to a telegram which has been re-addressed, the Office of origin recovers from the Sender, if necessary, the difference between the amount originally collected for the Acknowledgment of Receipt and the cost of the transmission actually effected. If the latter amount is less than the former by not less than ten annas, the difference is refunded to the Sender at his request.

(D) Telegrams to follow by order of the Sender.

- Reg. LIV, 1. 293. The Sender can require, by writing in the space provided, on the form, the Special Instruction *Faire suivre*, or "To follow" or *=FS=*, that the Office of destination shall cause his telegram to follow the Addressee.
- Reg. LIV, 2. 294. If the Sender of a telegram *Faire suivre* or "to follow" requests a Telegraphic Acknowledgment of Receipt, he must be warned that, in the event of the telegram having to follow the Addressee beyond the limits of the country of destination, he will be liable to pay any sum that may be necessary to complete the cost of the Acknowledgment of Receipt according to the distance actually traversed independently of any charges for re-addressing his telegram which may not have been collected on delivery.
- Reg. LIV, 3. 295. When a telegram bears the Special Instruction *Faire suivre* or "to follow" or *=FS=*, without further instructions, the Office of destination writes the new Address, if any, supplied at the residence of the addressee, and sends the telegram forward, to its new destination. The same course is followed until the telegram is delivered or until no new Address is furnished.
- Reg. LIV, 4. 296. If delivery cannot be effected, and if no other Address is furnished, the telegram is retained in the office, and its non-delivery reported as in Rule 268. The Service Advice of non-delivery must show the amount of the charges to be recovered from the Sender. This Advice, when the non-delivery might have arisen through an error of transmission, must be sent through the last re-transmitting office in order that it may have an opportunity of making the necessary corrections.
- Reg. LIV, 5. 297. If the Special instruction *Faire suivre* or "to follow" or *=FS=* is accompanied by successive Addresses, the telegram is transmitted to each of the destinations mentioned until the last, if necessary. In case of non-delivery the last office treats it in accordance with the provisions of Rule 296.
- Reg. LIV, 7. 298. The charge to be collected from the Sender for a telegram *Faire suivre* or "to follow" is simply the charge up to the first destination, all the Addresses being counted in the number of words charged for. The supplementary charges are collected from the Addressee. It is

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calculated by counting the number of words transmitted in each re-transmission.

(E) *Telegrams to be re-transmitted by order of the Addressee or his Agent.*

299. *Telegrams re-directed in India.*—Should the Addressee of a Foreign telegram received in India have left the place to which it is addressed, it may be re-directed to a second address in India either by an official of the Telegraph Office or by an agent of the Addressee. When official re-direction of telegrams is required, a notice to that effect must be given to the Telegraph Office concerned; printed forms for the purpose can be obtained from the local Telegraph Office. The person giving notice is responsible for any charges that may be incurred. No additional charge will be levied for re-direction if the two addresses are within the same town, but if in different towns, the full Inland Express rate will be charged for the re-direction. If the sum due has not been paid at the office where the telegram has been re-directed, the amount will be recovered from the Addressee before delivery. State telegrams will be re-directed free. Instructions left at the Telegraph Office regarding the re-addressing or re-direction of telegrams will be considered to be in force for a month only, after that period they will be liable to the fees prescribed by Rule 276.

¹[When a telegram has been re-directed to a second address without an order to transmit it by telegraph, the telegram will be posted to its new destination as prescribed by Rule 320, and a remark to this effect added to the notice of non-delivery prescribed by Rule 268.]

300. *Telegrams re-addressed to Ceylon.*—Foreign telegrams arriving in India may also be re-transmitted to Ceylon at the request of the Addressee or some responsible resident acting on the Addressee's behalf. In that case the full charge for the telegram from India to Ceylon will, when possible, be recovered from the Addressee. Requests for re-transmission must be made in writing, and anyone making such request must undertake to pay the charges which may not be collected by the Delivery Office. ²[When no such undertaking accompanies a request to re-transmit, the telegram will be posted according to Rule 320 and a remark added in the notice of non-delivery (Rule 268) to say "Re-forwarded post to....."] Telegrams returned unopened with a new address in Ceylon will be similarly dealt with.

¹ Substituted by Notification No. 5317—126, dated the 13th July, 1912, see Gazette of India, 1912, Pt. I, p. 757, for the sentence added by Notification No. 1932—151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

² Substituted by Notification No. 1932—151, dated the 11th March 1911, see Gazette of India, 1911, Pt. I, p. 193.

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(F) *Multiple Telegrams.*

- Reg. LVI, 1. 301. A *Multiple telegram* may be addressed, either to several persons in the same locality or in different localities served by the same Telegraph Office, or to the same person at several addresses in the same locality, or in different localities served by the same Telegraph Office, if the special Instruction *x Addresses* or "*x Addresses*" or *=TM x =* [Rule 174 (d)], which enters into the number of words charged for be written in the space provided on the form (Rule 178). The name of the office of destination appears only once, namely, at the end of the address.
- Reg. LVI, 1. 302. In telegrams addressed to several addresses, the particulars concerning the place of delivery, such as Exchange, Railway station, Market, etc., must be written after each address, or if they relate to several successive addresses, after the last of these addresses.
- Reg. LVI, 2. 303. If the address of a Multiple telegram contains any supplementary instructions, it is written in accordance with Rule 178.
- Reg. LVI, 3. 304. For Multiple telegrams, in addition to the charge per word, a charge of five annas is collected for each copy not containing more than one hundred chargeable words. The number of copies is equal to the number of addresses, less one.
- Reg. LVI, 2. 305. For copies containing over one hundred chargeable words, the charge is five annas per hundred words or fraction of hundred words. The charge for each copy is calculated separately, taking into account the number of words which it will contain.
- Reg. LVI, 4. 306. In the case provided for by Rule 301, each copy of the telegram must bear only the address which belongs to it, and except at the request of the sender the instruction "*X addresses*" or "*X addresses*" or *=TMx=* must not appear in it. This request must be included in the number of words charged for and be written before the address of each addressee whom it concerns, as follows:—*Communiquer toutes adresses* or "*Communicate all addresses*" or *=CTA=*.

(G) *Telegrams to be delivered by Post or by Express.*

- Reg. LVII, 1. 307. *Post or Express.* Telegrams addressed to places where there are no International Telegraph Offices may be delivered at destination, according to the request of the Sender either by Post or by special messenger, but delivery by special messenger cannot be demanded, except for those States which have organised a system of delivery more rapid than the Post and have notified to the other States the arrangements provided for such service (Rule 316).

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308. The Sender may also request that his telegram may be sent by Reg. LVII, 2. telegraph as far as an office which he indicates, and thence by post to destination.

309. *The Address* of telegrams to be conveyed beyond the Telegraph Reg. LVII, 3. lines must be preceded by the instruction denoting the method of conveyance to be employed whether Post or Special Messenger.

310. The cost of conveyance beyond the delivery limits of Telegraph Reg. LVIII, Offices by quicker means than the post, in States where such a service is¹. organised, is, as a rule, collected from the Addressee. (For exceptions—see Rules 312, 313 and 315.)

311. When a telegram which bears the Special Instructions *Exprès* Reg. LVIII, or "*Express*" and has involved expense is not delivered, the Office of destination enters in the Advice of non-delivery referred to in Rule 268, the amount to be recovered from the Sender on this account thus, "PCV" (amount due for special service).

312. When the Sender desires to prepay the cost of delivery by special Reg. LVIII, messenger, and if he can himself indicate the amount to be collected². under this head by the Telegraph Office of origin, the telegram must bear the Special Instruction (charged for) *Exprès payé x* or *Express paid x—* (or=*Xp x=*). If the sum deposited is found to be insufficient, the difference is claimed from the Addressee, but, if it exceeds the actual cost, the difference is not refunded.

313. A Sender who does not know the cost of delivery by special Reg. LVIII, messenger can relieve the Addressee from the payment of any charge³. whatever, either by paying the charge of a telegram of five words to the same destination by the same route, or by paying a fee of 2½ annas for postage, and by depositing in addition, by way of security, a sum to be fixed by the Office of origin with a view to subsequent settlement. The telegram then bears the Instruction *Exprès payé télégraphe* or *Express paid telegraph* or=*XPT=* or *Exprès payé lettre* or *Express paid letter* or=*XPP=*. This instruction is written in the space provided on the form and is charged for.

314. The Telegraph Office which receives for delivery a telegram Reg. LVIII, with the Instruction *Exprès payé télégraphe* or *Express paid telegraph*⁴. or=*XPT=*, notifies to the Office of origin by a Paid Service Advice, the charge to be collected for portage. This information is given by a prepaid ordinary letter in cases where the Special Instruction is *Exprès payé lettre*, or *Express paid letter* or=*XPP=*. On receipt of this information, the Office of origin settles with the Sender.

315. When the Administration of destination has previously fixed Reg. LVIII, and notified the amount of portage charges to be paid, payment by the⁵. Sender is obligatory. In this case the telegram must bear in the space

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provided on the form the Instruction *Exprès payé* or *Express paid* or =XP=, which is included in the number of words charged for (Rule 179), and there is no necessity for the Office of destination to report to the office of origin the actual cost of delivery. When the Sender has paid the charges for delivery indicated, in certain cases, in the official Nomenclature of offices, the instruction to be employed is also *Exprès payé*, or *Express paid* or =XP=.

316. All fixed charges for delivery notified by other Administrations are shown in Tariff Tables published in the *Telegraph Guide*.

Reg. LIX, 1. 317. *Employment of Post*.—Telegrams to be forwarded by post are subject to the following additional charges ¹[to be collected at the office of origin]:—

- (a) Telegrams to be delivered within the limits of the country of destination: those bearing the Instruction "*Poste recommandée*", or "*Post Registered*" or =PR= are subject to a fee of two annas to cover cost of registration.
- (b) Telegrams to be re-forwarded to a country other than the country of telegraphic destination: the fee to be collected is 2½ annas or 4½ annas according to whether they bear the Instruction =*Poste*=, or *Post*; or *Poste recommandée* or *Post registered* or =PR=, respectively.

Reg. LIX, 2. 318. The Telegraph Office of destination is entitled to employ the post—

- (a) In the absence of directions in the telegram as to the means of portorage to be employed;
- (b) When the means indicated differ from the mode adopted and notified by the Terminal Administration (Rules 315 and 316); or
- (c) When a charge for delivery by special messenger would have to be paid by an Addressee who has previously refused to pay such charges.

Reg. LIX, 3. 319. The employment of the post is obligatory upon the Telegraph Office of destination—

- (a) When a request to this effect has been expressly made by the Sender (Rule 307), or by the Addressee (Rule 299). The Office of destination may, however, employ a special messenger even for telegrams bearing the Instruction =*Poste*

¹ Added by Notification No. 1932—151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

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= or Post, if the Addressee has expressed a desire to receive his telegrams by special messenger.

- (b) When the Office of destination has no more rapid means at its disposal.

¹[320. Telegrams which have to be sent to their destination by post, Reg. LIX, 4, and which are posted by the telegraph office of destination in India are dealt with in the following manner:—

- (a) Telegrams to be delivered within the limits of the Indian Inland Postal Tariff. These are posted registered without charge to the Sender or Addressee.

- (b) Telegrams to be transmitted by post to a place beyond the limits of the Indian Inland Postal Tariff. If the postal charges have been collected in advance, the telegrams are posted as paid ordinary or registered letters, as the case may be. When the postal charges have not been collected, the telegrams are posted as ordinary unpaid letters, postage being collected from the Addressee.]

321. [*Cancelled by Notification No. 1932—151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.*]

322. *Telegrams too late to be posted registered.*—When a telegram, Reg. LIX, 8, to be forwarded as a registered letter, cannot immediately be registered, it is, in order to take advantage of a postal despatch, first posted as an ordinary letter, a duplicate being sent as a registered letter as soon as possible. This applies to all Foreign telegrams posted in India. The second copy will always be marked *Duplicate*.

(H) Semaphoric Telegrams.

323. *Semaphoric telegrams* are telegrams exchanged with ships at sea by means of Semaphores established on the coasts of any of the Contracting States. Reg. LXI, 1.

324. *Semaphore Stations.*—The following Telegraph Offices in India are Semaphore stations:—

Achipur.	Elephant Point.
Amherst.	Hooghly Point.
Budge-Budge.	Mud Point.
Diamond Harbour.	Saugor Island.
Diamond Island.	

[Table Island.]

¹ Substituted by Notification No. 1932—151, dated the 11th March, 1911, see Gazette of India, 1911, Pt. I, p. 193.

² Omitted and added respectively by Notification No. 6082—133, dated the 10th August, 1912, see Gazette of India, 1912, Pt. I, p. 820.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

- Reg. LXI, 2. 325. *Language*.—Semaphoric telegrams must be written either in the language of the country in which the Semaphore station which has to signal them is situated, or by means of groups of letters of the International Code of Signals.
- Reg. LXI, 3. 326. *Address*.—When they are for ships at sea, the Address must contain, in addition to the ordinary directions, the name or official number of the vessel for which they are intended and its nationality.
327. *Preamble*.—Every Semaphoric telegram received from a ship at sea must contain in the Preamble the Service instruction *Sémaphorique* or “Semaphoric.” When it is addressed to a ship at sea, this instruction is not inserted in the Preamble.
- Reg. LXI, 4. 328. *The charge* for telegrams exchanged with ships at sea by means of Semaphores is fixed at ten annas per telegram. This charge is added to the cost of its transmission by the electric telegraph, calculated according to the ordinary rules. The total is collected from the Sender, for telegrams addressed to ships at sea, and from the Addressee for telegrams signalled from ships at sea (Rule 239). In the latter case, the instruction “PCV” (which means *Percevoir* or Collect), must be inserted in the preamble.
- Reg. LXI, 5. 329. *Transmission*.—Telegrams from a ship at sea are transmitted to their destination in signals of the International Code of Signals when the sending ship requests it.
- Reg. LXI, 6. 330. When such request has not been made, they are translated into ordinary language by the Official of the Semaphore station and transmitted to destination.
- Reg. LX, 4. 331. *Period of retention*.—The Sender of a telegram addressed to a ship at sea may specify the number of days during which the telegram is to be signalled to the ship by the Semaphore station. In this case he should write in the space provided on the form the Instruction “*x... days*,” (or *x...jours*); specifying the number of days which will include the day on which the telegram is handed in for despatch.
- Reg. LX, 6. 332. When the vessel to which a semaphoric telegram is addressed does not arrive within the period indicated by the Sender, or in the absence of such indication, on the morning of the 29th day, the Semaphore station advises the Sender of it. The Sender has the option of requesting, by paid telegraphic or postal Service advice addressed to the Semaphore station, that the latter should continue to offer his telegram for a further period of 30 days, and so on. When no such request is received, the telegram is destroyed on the thirtieth day excluding the day of deposit.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

(1) *Combination of Special Telegrams.*

333. In applying Rules 277 to 332, the facilities given to the public for prepaid replies, collated telegrams, acknowledgments of receipt, telegrams "to follow," multiple address telegrams, and telegrams to be delivered by Post or by Express may be combined, the Instructions in Rules 177 to 179 and 293 to 298 being duly observed. Reg. LXIII, 1.

FOREIGN PRESS TELEGRAMS AT REDUCED RATES.

334. Telegrams the text of which contains only information and news relative to politics, commerce, etc., intended for publication in newspapers are admitted as Press telegrams to or from the places in respect of which reduced rates have been arranged and published in the *Telegraph Guide*. Reg. LXV, 4.

(2) Press telegrams will be accepted in India during the working hours of Telegraph Offices as notified in the *Telegraph Guide*.

(3) Telegrams at the reduced rate shall not be allowed to interfere with the transmission of telegrams at full rates, and in order to ensure this, the transmission of such news telegrams may be deferred, suspended or interrupted until any State or Private telegram, or any Press telegram at full rates which may be on hand, shall have been transmitted and completed. On the lines of the Indian Telegraph Department such telegrams shall take precedence with Ordinary Inland telegrams.

(4) Press telegrams will only be accepted from the authorised correspondent of a newspaper, periodical publication or news agency. Each authorised correspondent will be furnished with a card of authority by the Director-General of Telegraphs.

(5) When Press telegrams are signed, the signature must be that of the correspondent whose name appears on the card.

(6) The permission to newspapers, periodical publications and news agencies to receive Press telegrams at reduced rates is subject to the submission of a written declaration by the manager of the newspaper, publication or agency, undertaking to conform to all the conditions fixed by these rules. A list of the newspapers, periodical publications and news agencies in India authorised to receive Press telegrams at reduced rates is published in the *Telegraph Guide*.

¹ Rules 334 and 335 were substituted by Notification No. 1033—10, dated the 7th February, 1910, see Gazette of India, 1910, Pt. I, p. 173.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

(7) Press telegrams must be addressed to newspapers; periodical publications or news agencies, and solely to the name of the newspaper, publication or agency, which appears on the card, and not to the name of a person connected in any capacity whatever with the management of the newspaper, publication or agency.

Proved irregularities may cause the withdrawal of Press Cards.

The use of abbreviated and registered addresses is authorised if mention is made of these addresses on the Card. For the receipt of telegrams at Press rates only, each authorised newspaper, periodical publication or news agency may have an abbreviated address registered free of charge.

(8) Press telegrams must be written in the English language, or in one of the languages of the country of origin or of destination authorised for International Telegraphic correspondence in plain language, or in the language in which the receiving newspaper is printed, provided that this language is admitted for International Telegraphic correspondence.

Press telegrams must not contain any passage, advertisement or communication having the character of private correspondence, nor any advertisement or communication the insertion of which is made in consideration of payment.

Exchange and market quotations, with or without explanatory text, are admitted in Press telegrams at reduced rates. Offices of origin must, in cases of doubt, assure themselves by communicating with the sender, who is bound to give proof whether the groups of figures appearing in the telegrams really represent Exchange quotations.

1335. Telegrams presented as Press telegrams which do not fulfil the conditions indicated in clause 8 of the preceding rule are charged for according to the ordinary tariff.

The normal tariff for private correspondence is also applicable to every Press telegram of which use is made for some other purpose than that of insertion in the columns of the newspaper to which it is addressed, namely:—

- (1) To telegrams which are not published by the receiving newspapers (failing a satisfactory explanation) or which the latter has communicated before publication, either to private individuals, or to establishments, such as, Clubs, Cafes, Hotels, Exchanges, etc.;

¹ See footnote on præ-page.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

- (2) To telegrams which the receiving newspaper shall have sold, distributed or communicated before publishing them itself, to other newspapers for publication in their columns;
- (3) To telegrams addressed to agencies which are not published in a newspaper (failing a satisfactory explanation) or which are communicated to third persons before being published by the Press.

In the cases provided for in the three preceding clauses the balance of the charge is collected from the addressee and is retained by the Administration of destination.

1336. Press telegrams bear only a single supplementary instruction—that relating to Multiple address telegrams. The charge to be collected for the copies to be made by the office of destination is the same as that for ordinary private telegrams.

1337. All Press telegrams at reduced rates shall be prepaid, except under special arrangements made by an authorized newspaper for a specially nominated correspondent.

1338. Press telegrams must be marked *Press* by the senders, and the benefit of Press rates must be claimed by them at the time the telegrams are tendered for despatch.

339. *Press telegrams for Ceylon* are accepted at reduced rates under the same general rules and conditions as Inland Press telegrams (Rules 131 to 136). In other respects, Press telegrams for Ceylon come under the general rules for Private Foreign telegrams.

RECORDS.

340. *Period of Preservation.*—The originals of telegrams and documents relating to them are kept for ²[seven days] only in Government Telegraph Offices, after which time they are sent to the ³[Assistant Accountant-General, Telegraph Check Office, Calcutta,] where they are preserved for at least ten months from the month following that in which the telegram was handed in, and then destroyed.

¹ Rules 336 to 338 were substituted by Notification No. 1038—10, dated the 7th February, 1910, see Gazette of India, 1910, Pt. I, p. 175.

² Substituted by Notification No. 574—22, dated the 28th January, 1911, see Gazette of India, 1911, Pt. I, p. 65.

³ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

Reg. LXX, 1. 341. *Secrecy.*—The originals or copies of telegrams can only be communicated to the Sender, or to the Addressee, after proof of identity or to the authorised representative of either of them.

Reg. LXX, 2. 342. *Copies.*—The Sender or the Addressee of a telegram, or the authorised representative of either, has a right to be furnished with a certified copy of such telegram, or of the copy delivered at destination, if the latter has been preserved by the Administration of destination. This right lapses after the expiration of the time fixed for preserving the records.

Reg. LXX, 3. 343. A fixed charge of four annas is made for every copy furnished in conformity with Rule 342, if the telegram does not exceed 100 words. Over 100 words, this charge is increased by four annas for each 100, or fraction of 100 words.

Reg. LXX, 4. 344. Telegraph Administrations are not obliged to produce or give copies of the telegrams above mentioned, unless the Senders, the Addressees, or their authorised representatives, furnish the necessary information to enable the telegrams, to which their requests refer, to be found.

345. *Extended Preservation.*—On the ground of pending or contemplated judicial proceedings, application may be made by an interested party to the ¹[Assistant Accountant-General, Telegraph Check Office, Calcutta,] for the preservation of specified telegrams, exchanged between other persons. Such application must be made within ten months of the dates of the telegrams, and such telegrams will then be preserved for a period of four months beyond the ordinary date fixed for destruction under Rule 340; at the expiration of this further period, they will, in default of a renewed application, be destroyed. It must be understood that the duty of the Telegraph Department in the matter is confined to making the search and preserving the telegrams, if found. No information as to the result of the search will be furnished, and any telegrams answering the description given which may be found, will only be produced on the order of a competent Court of law or other competent authority.

346. *Fees for searching for telegrams.*—Should the particulars furnished be insufficient to enable the Check Office at once to trace the telegrams applied for under either Rule 342 or 345, the cost of searching for them must be deposited by the applicant. A fee of one rupee is charged for searching through the telegrams of any Telegraph Office for one day; thus if it be required to examine the telegrams of two Telegraph Offices over a period of five days, the searching fee will be ten rupees.

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd

347. Applications for the originals or for copies of telegrams may be addressed to the Telegraph Office within ¹[seven days] of the date of handing in or receipt of such telegrams or to the ²[Assistant Accountant-General, Telegraph Check Office, Calcutta] within ten months (Rule 340).

REFUNDS.

348. *Refunds* of the following charges are made to those who have Reg. LXXI. paid them, on receipt of an application for such refund, or of a complaint against the service:—

- (a) The full charge paid for every telegram which, through the fault of the Telegraph service, has failed to reach its destination.
- (b) The full charge paid for every telegram stopped in transmission owing to interruption of a route and of which the Sender has for this reason requested its cancellation.
- (c) The full charge paid for every telegram which, through the fault of the Telegraph service, has either suffered a greater delay than it would have if sent by post, or which has not been delivered within 72 hours in the case of Private, or 36 hours in the case of State telegrams and paid Service Advices. The periods during which offices are closed, when that is the cause of the delay, and the time occupied in delivery by special messengers are not counted in calculating this delay.
- (d) The full charge paid for every *Collated* telegram in Secret language or of any telegram in Plain language which, owing to errors made in transmission, has manifestly failed to accomplish its object, unless the errors have been rectified by Paid Service Advices under Rule 206.
- (e) The supplementary charges pertaining to any special service which has not been rendered, as well as the charge for the corresponding supplementary instructions.
- (f) The amounts deposited for Paid Service Advices requesting the repetition of a passage supposed to be incorrect if the repetition does not agree with the first transmission, with the reservation, however, that when some words have been correctly and some incorrectly transmitted in the original

¹ Substituted by Notification No. 574—22, dated the 23rd January, 1911, see Gazette of India, 1911, Pt. I, p. 65.

² Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

telegram, the charge for the words which relate exclusively to the words correctly transmitted in the first instance is not refunded. Nevertheless, the charge for the words correctly transmitted must be refunded, whatever may be the language in which the telegram is written, if the Administration concerned recognises that the mistakes made prevented the sense of the words which had not been mutilated from being understood.

- (g) The full charge paid for every other Paid Service Advice, telegraphic or postal, sent under Rules 206 to 212 necessitated by an error of the Telegraph service.
- (h) The full amount of every sum prepaid for a reply, when the Addressee has not made use of the Reply telegram form or has refused it, and when before the expiration of *three* months from the date of issue this Reply telegram form is in the possession of, or has been returned to, the Telegraph Administration which granted it.
- (i) The charges in respect of the telegraph section not traversed when, owing to an interruption of the telegraph route, the telegram in question has been forwarded to its destination by post or by some other means. The charges incurred in replacing the original telegraphic route by any other means of transport are, however, deducted from the amount to be refunded.
- (j) The full charges for every telegram with prepaid reply which has manifestly been unable to fulfil its object owing to a service irregularity which warrants the return of the charges for the reply; also the full charges for every prepaid reply which has manifestly been unable to fulfil its object owing to a service irregularity which warrants the return of the charges for the original telegram.
- (k) The charge, when it amounts to ten annas or more, of every word omitted in the transmission of a telegram, unless the error has been rectified by means of a Paid Service Advice under Rule 206.
- (l) The difference between the amount of a Reply telegram form and the charge for the telegram prepaid by means of such Reply telegram form, if this difference is equal to ten annas at least (Rule 270).
- (m) The charge for every telegram stopped under Rules 155 to 157.
- (n) The proportion of charge due for every telegram cancelled by the Sender (Rules 254 and 257).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII of 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

349. In the case of a partial refund on account of a multiple telegram Reg LXXI, the total charge collected is divided by the number of copies, and the ² quotient represents the charge appertaining to each copy, the telegram itself counting in this respect as one copy.

350. In the cases provided for in clauses (a), (b), (c), (d), (i) and (k) Reg LXXI, of Rule 348, the refund applies only to the charge of the actual telegrams ³ not delivered, or which have been cancelled, delayed or mutilated, including any supplementary charges not utilised, but not to telegrams necessitated or rendered useless by such non-delivery, delay or mutilation.

351. When the errors due to the Telegraph service have been rectified Reg. LXXI, by means of Paid Service Advices under Rules 206 and 208 within the ⁴ periods specified in Rule 348 (c) the refund applies only to the cost of these Paid Service Advices. No refund is due for the telegrams to which the Service Advices refer.

352. No refund is made for rectifying telegrams which, instead of Reg LXXI, being exchanged between Telegraph Offices in the form of Paid Service ⁵ Advices, have been exchanged direct between the Sender and Addressee.

353. Rules 348 to 352 are not applicable to telegrams traversing the Reg LXXI, lines of non-adhering Administrations which refuse to accept the obliga- ⁶ tion of Refunds. At the same time, the adhering Administrations which have participated in transmission give up their proportion of the charge when the right to a refund has been established.

354. Every claim for refund must be made, under penalty of rejection, Reg. LXXII, within five months from the date of handing in of the telegram. ¹

355. (1) Every claim for refund, and every complaint respecting Reg LXXII, telegrams, should be made by the Sender to the Telegraph Administration ². under which the telegrams originated: Provided:—

(i) that such application or complaint may also be presented by the Addressee to the Administration of destination which will then decide whether it will deal with it; or whether it should be forwarded to the Administration of origin;

¹ [(ii) that in India all applications regarding refunds, except in the case mentioned in proviso (iii) below, shall be addressed to the Assistant Accountant-General, Telegraph Check Office, Calcutta, and complaints respecting telegrams to the Director-General of Telegraphs, Traffic Branch, Calcutta;]

¹ Substituted by Notification No. 2950—47, dated the 20th April, 1910, see Gazette of India, 1910, Pt. I, p. 321.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*contd.*

- (iii) that claims for refunds on Paid Service Advices [Rule 348 (f) and (g)] may, if made within ¹[seven days] from the date of the telegram, be presented at the Telegraph Departmental Offices and Combined Post and Telegraph Offices ²* * * at which such advices were handed in.

(2) Every such claim and complaint shall be accompanied by documentary evidence, namely,—

- (a) in case of non-delivery or of delay, by a written statement from the Office of destination or from the Addressee;
- (b) in case of alteration or omission, by the copy of the telegram delivered to the Addressee;
- (c) in case of an unused Reply telegram form (Rule 282) by the Reply telegram form delivered to the Addressee;
- (d) in case of telegrams sent from India, by the Receipt (Rule 240);
- (e) in case of Paid Service Advices (Rule 209), by the correction memorandum granted in connection therewith by the Telegraph Office of delivery.

LXXII, 356. When a claim is admitted by the Administrations concerned, the refund is made to the applicant by the Administration of origin. The right to the refund lapses after a period of six months from the date of the letter by which the Sender is informed that the refund has been granted.

LXXII, 357. If the Sender does not reside in the country where he handed in his telegram, he can have his claim forwarded to the Administration of origin through the medium of another Administration. In this case, the latter is deputed to make the refund, if need be.

358. No claim is admitted when a telegram not being in accordance with the conditions prescribed for observance by the public with regard to composition, language, legible writing, address, instructions for the conveyance of telegrams beyond the telegraph lines, etc., has been accepted for transmission at the Sender's risk.

¹ Substituted by Notification No. 574—22, dated the 28th January, 1911, see Gazette of India, 1911, Pt. I, p. 65.

² The words "in charge of Head and Sub-Postmasters" were omitted by Notification No. 1409—28, dated the 17th February, 1912, see Gazette of India, 1912, Pt. I, p. 148.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—contd.

1General rules for Deferred Foreign telegrams.

1359. The sender of a Private telegram may obtain the benefit of a reduction of 50 per cent. in the charge on condition that the telegram is written in plain language, as defined hereafter, and that it is not transmitted until after telegrams charged for at full rates or at Press rates. Such telegrams are termed "*Deferred Foreign telegrams.*"

Form of handing in.

1360. Declaration by sender.—The sender of a Deferred Foreign telegram must sign when handing in the telegram, a declaration giving a formal assurance that the text is entirely in plain language, and that it does not bear any meaning other than that which appears on the face of it. The declaration must specify the language in which the telegram is written.

1361. Supplementary instructions.—The sender of a Deferred Foreign telegram at half rates must insert before the address the supplementary instruction LC, completed as is laid down in Rule 363. This instruction is counted in the number of words charged for.

1362. Form.—The text of Deferred Foreign telegrams must be written entirely in plain language, and must not contain any figures, commercial marks, groups of letters, or signs of punctuation, or abbreviated expressions (Rule 163). Any telegram containing a succession of isolated letters, numbers, names or words without connected meaning and, generally, any telegram which does not in the opinion of the Telegraph service bear an intelligible meaning on the face of it, is not admitted to the benefit of half rates. Registered addresses are accepted if accompanied by a text which makes their nature clear. Numbers must be written in words. Telegrams without text are not admitted.

1363. Deferred Foreign telegrams at half rates must be written in French, or in one of the languages of the country of origin or destination specified by the Administrations concerned and authorised for International telegraphic correspondence in plain language. According as the language employed is (1) French, (2) a language of the country of origin, or (3) a language of the country of destination, the supplementary instruction LC is to be completed and becomes LCF, LCO, or LCD. The use of two or more languages in the same telegram is not allowed.

The wording of the address and the signature of these telegrams are governed by the rules in force for full rate telegrams.

1364. Counting of words.—The words in the address, in the text and in the signature are counted according to the rules in force for full rate telegrams.

¹ This heading and Rules 359 to 371 were added by Notification No. 362—30, dated the 13th January, 1912, see Gazette of India, 1912, Pt. I, p. 41.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Rules as to Inland and Foreign Telegrams—*concl.*

¹365. *Places between which Deferred telegrams are admitted.*—The countries to which Deferred Foreign telegrams may be sent at half rates are indicated in the tariff tables published in the *Telegraph Guide*.

¹366. *Application of full rates to irregular telegrams.*—The Telegraph Administrations reserve the right to refuse to receive at half rates any telegram which, in their opinion, is not in accordance with the foregoing conditions.

When the delivery office observes that a telegram bearing one of the supplementary instructions LCF or LCD does not comply with these conditions the telegram is treated in the same way as one containing irregular combinations (Rules 231 and 232).

¹367. *Order of transmission.*—Deferred Foreign telegrams are only transmitted after Private telegrams at full rates and Press telegrams. Those which have not reached their destination within a period of 24 hours from the time of handing in are transmitted in turn with telegrams charged for at the full rate.

¹368. *Delivery.*—Deferred Foreign telegrams at half rates are delivered in turn with telegrams at full rates.

¹369. *Special services.*—Deferred Foreign telegrams at half rates may bear any of the supplementary instructions referred to in Rule 174 (*d*). The rates applicable to the various special services desired by the sender of a Deferred Foreign telegram (paid service telegrams, conditions of delivery, RP, TC, etc.), are the same as in the case of full rate telegrams. The corresponding supplementary instructions are charged for at half rates. Telegraph money orders and maritime telegrams are not admitted at the deferred rate.

¹370. *Refunds.*—The period during which a refund can be claimed on account of delay in the case of a Deferred Foreign telegram is fixed at 72 hours [Rule 348 (*c*)].

¹371. *General conditions.*—Deferred Foreign telegrams at half rates are subject to all the conditions of the International Telegraph regulations which do not conflict with the foregoing conditions.

[See Gazette of India, 1909, Pt. I, p. 943.]

Radio-Telegraph Rules for Bombay.²

No. 7571—163, dated the 8th October, 1909.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII

¹ See footnote on pre-page.

² These rules have now been made applicable to all Indian Coast stations now existing and which may be opened in the future, by Notification No. 8415—87, dated the 11th October, 1913, *infra*, p. 830.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Radio-telegraph Rules for Bombay—*contd.*

of 1885), the Governor General in Council is pleased to issue the following rules governing the exchange by radio-telegraph of public correspondence between the temporary coast station at Bombay and ships at sea to have effect from the 15th October, 1909.

Duration of Service.

[1. The service at coast stations in India will be according to the hours notified for such stations in the *Indian Telegraph Guide*. Those coast stations at which the service is of limited duration must not close before they have transmitted all their radio-telegrams to such ships as are within their range of transmission and have received from these ships all the radio-telegrams of which notice has been given. This applies also when ships notify their presence before work has actually ceased.]

Form and Acceptance of Telegrams.

2. The form and acceptance of telegrams will be in accordance with the rules for Foreign telegrams as given in the rules published in Notification² No. 6975—137, dated the 16th September, 1909.

Special rules for Radio-telegrams to ships.

3. The address of radio-telegrams for ships at sea should be as complete as possible. It must contain the following particulars:—

- (a) Name of addressee (with any further particulars that the sender may consider necessary for identification of the addressee).
- (b) Name of ship.
- (c) Name of the coast station from which the radio-telegram is to be signalled, i.e., Bombay Radio.

Preamble to Radio-telegrams as sent by ship.

4. All radio-telegrams bear the Service Instruction "Radio" in the preamble.

In radio-telegrams sent by a ship station to the coast station, the date and the time of handing in are omitted. They are included as part of the preamble in radio-telegrams to ships.

¹ Rule 1 was substituted by Notification No. 7532—13, dated the 22nd October, 1910, see Gazette of India, 1910, Pt. I, p. 518.

² *Supra*, p. 745.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Radio-telegraph Rules for Bombay—*contd.*

5. On re-transmission of a radio-telegram from a ship over the ordinary telegraph system, the coast station inserts for office of origin its own name, followed by the name of the ship from which it has been received; and inserts as the time of handing in, the time of receipt from the ship station. The onward transmission of the telegram to the ordinary telegraph system will then be according to the usual form of transmitting Foreign telegrams in India, except that the word "Radio" must be transmitted in the Service Instructions, and appear on the copy delivered to the addressee at the office of destination.

Charge for Radio-telegrams.

6. The charge for radio-telegrams between any station in India or Burma and the ships that may communicate with ¹[a coast station] will be eight annas a word. 1* * * * *

The charge for a radio-telegram must in every case be prepaid in full by the sender. Radio-telegrams for stations other than in India and Burma will not be accepted by the ship station.

Classes of Telegrams not admitted in the Radio-telegraphic service.

7. Certain classes of telegrams which are admitted in the International Telegraph Service cannot be accepted in the Radio-telegraphic service. They are as follows:—

- (a) Telegrams with prepaid replies.
- (b) Telegraphic Money Orders.
- (c) Collated telegrams.
- (d) Telegrams with acknowledgments of receipt, except as regards their transmission over the lines of the ordinary telegraph system.
- (e) Telegrams "to follow" the addressee.
- (f) Paid Service telegrams, except as regards transmission over the ordinary telegraph system.
- (g) Telegrams to be delivered by Express (*i.e.*, by special messenger) or post.

Priority of Messages.

8. In the transmission of radio-telegrams priority must be assigned first of all to messages of distress, and then according to the order given

¹ Substituted for the words "the temporary coast station at Bombay" and the words "Half of this will be the ship station charge, and the other half will cover the coast station charge and that for wire transmission in India or Burma" were cancelled by Notification No. 7532—13, dated the 22nd October, 1910. see Gazette of India, 1910, Pt. I, p. 518.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Radio-telegraph Rules for Bombay—*contd.*

in Rule 158 of the rules published in Notification ¹No. 6975-137, dated the 16th September, 1909, *viz.* :—

- (a) State (or Government) telegrams.
- (b) Service telegrams.
- (c) Private telegrams.

Undelivered Radio-telegrams from ships.

9. When, for any reason whatever, a radio-telegram from a ship at sea cannot be delivered to the addressee, the coast station will be informed by the office of destination; and the information must be transmitted, if possible, to the ship of origin. It will then be the duty of the operator on the ship station to compare the address on the original form with that given in the notice of non-delivery, and to send a correcting Service message if he finds any discrepancy. In the absence of any discrepancy, he should inform the sender of the non-delivery of the message and of the reason assigned for it.

Undelivered Radio-telegrams on ships.

10. When a radio-telegram reaching a ship station cannot be delivered, that station informs the office of origin by means of a Service Advice.

Distress Signal.

11. As soon as a station perceives the distress signal, it must suspend all correspondence, and must not resume work until it has made sure that the communication consequent on the call for assistance has been completed.

Procedure when Signals become doubtful.

12. When signals become doubtful, it is important that recourse should be had to all possible means for effecting transmission. For this purpose, the radio-telegram is repeated, at the request of the receiving station, but not more than three times. If in spite of this triple transmission, the signals are still unreadable, the radio-telegram is cancelled. If an acknowledgment of receipt is not received, the transmitting station again calls the receiving station. If no reply is made after three calls, transmission is not continued. If the receiving station, in spite of defective reception, thinks that the radio-telegram may be delivered, it inserts

¹ *Supra*, p. 745.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN TELEGRAPH ACT, 1885 (XIII OF 1885).

Radio-telegraph Rules for Bombay—*concl'd.*

the Service Instruction "Reception doubtful" at the end of the preamble and sends on the radio-telegram.

Message forms to be preserved.

¹[13. The originals of radio-telegrams and the documents relating to them are kept for ²[seven days] only in Government telegraph offices, after which they are sent to the Assistant Accountant General, Telegraph Check Office, Calcutta, where they are preserved for at least twelve months, reckoned from the month following that of handing in.]

14. [*Cancelled by Notification No. 7532—13, dated the 22nd October, 1910, see Gazette of India, 1910, Pt. I, p. 518.*]

Refunds.

15. Refunds will be governed by Rules 348 to 358 of the rules published in Notification³ No. 6975—137, dated the 16th September, 1909, subject to the reservations given in Rule 10.

[*See Gazette of India, 1909, Pt. I, p. 1044.*]

Application of the Radio-Telegraph Rules for Bombay to all Indian Coast stations.

No. 8415-87, dated the 11th October, 1913.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 7571-163, dated the 8th October 1909, as subsequently amended, governing the exchange by radio-telegraph of public correspondence with ships at sea, shall be made applicable to all Indian coast stations now existing and which may be opened in the future for such correspondence.

[*See Gazette of India, 1913, Pt. I, p. 924.*]

¹ Rule 13 was substituted by Notification No. 7532—13, dated the 22nd October, 1910, see Gazette of India, 1910, Pt. I, p. 518.

² These words were substituted in Rule 13 by Notification No. 576—22, dated the 28th January, 1911, see Gazette of India, 1911, Pt. I, p. 65.

³ *Supra*, p. 745.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II of 1886).

Exemptions as to liability to income-tax.

No. 2762, dated the 6th June, 1890.—In exercise of the powers conferred by sections 6 and 38 of Act II of 1886, the Governor General in Council is pleased, in supersession of the Notifications in the Department of Finance and Commerce—

No. 579,	dated the 3rd May, 1886
„ 2003,	„ 16th July, 1886
„ 2633,	„ 19th August, 1886
„ 2929,	„ 3rd September, 1886
„ 3920,	„ 29th October, 1886
„ 4330,	„ 25th November, 1886
„ 4010,	„ 26th July, 1887
„ 6911,	„ 30th December, 1887
„ 676,	„ 8th February, 1888
„ 1650,	„ 27th March, 1888
„ 1703,	„ 30th March, 1888
„ 806,	„ 14th February, 1889
„ 3065,	„ 20th June, 1889

(A) to exempt from liability to the tax payable, and to assessment under the said Act—

- (1) the income of persons (other than persons in the service of the Government) residing in—

¹(a) [Any part of the presidency of Madras included for the time being in a scheduled district;]

(b) the Hill Tracts of Chittagong;

(c) the Mewas States under the Khandesh Political Agency;

(d) the Khondmals and the Mahal of Angul in Orissa;

- (2) the income of Universities or other associations or bodies existing solely for educational purposes and of local authorities as defined in section 3 of the Act, provided that the exemption shall not extend to interest payable on a Government security in respect of any period (the period running to date of payment of interest from last date of payment thereof) during which a transfer of the security has been effected;

¹ Substituted by Notification No. 3371-S. R., dated 25 November, 1903, see *Gazette of India*, 1903, Pt. I, p. 647.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Exemptions as to liability to Income-tax—*contd.*

- (3) the official allowance which an Agent of a Prince or State in India in alliance with Her Majesty who has been duly accredited to represent the Prince or State for political purposes in any place within the limits of British India receives as such Agent in British India from the Prince or State;
- (4) any capital sum paid in commutation of the whole or a portion of a pension;
- (5) so much of the income of a person as is derived solely and directly from the production of indigo or the preparation thereof for the market: provided that nothing in this clause shall be construed to affect section 5, sub-section (2), of the Act with respect to the liability of an officer or servant of a person to whom this clause applies;
- (6) such portion of any person's income as is paid to any Service Fund, Mutual Benefit Fund, Friendly Society, or other legally established Association not being a company within the meaning of section 3, sub-section (2), of the Act, in respect of an insurance or deferred annuity on his own life or on the life of his wife in the same way as if the payment were made to an Insurance Company;
- (7) such portion of the income of any person in the service of the Government, or of any Local Authority, or of any Railway Company as is paid to any Provident Fund established under the authority, or with the permission, of the Government, and as is not repayable to him at his option so long as he remains in such service:

Provided that the amount of income exempted under No. (6) and No. (7), together with the amount exempted under section 5, sub-section (1), clause (g) of the Act, shall not exceed one-sixth of the whole income in respect of which the person would, but for these exemptions, be liable;

- ¹(8) Interest on securities of the classes indicated in Part III of the second schedule to the Act, which are held by, or are the property of, a Service Fund or a Friendly Society.

Explanation.—For the purposes of this exemption, a "Service Fund" is a fund established under the authority, or with the permission, of the Government for the purpose of securing deferred annuities to the subscribers, or payments to them in the event of their resignation of or dismissal from.

¹ Substituted by Notification No. 2180-S. R., dated the 23rd April, 1901, see Gazette of India, 1901, Pt. I, p. 259.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Exemptions as to liability to Income-tax—*contd.*

the service in which they are employed, or provision for their wives or children after their death, or payments to their estate or their nominees upon their death, to which the servants of the Government or of a Local Authority or of a Railway Company are alone admissible as subscribers or members, * * *¹ and a "Friendly Society" is a mutual association established for the purpose of securing deferred annuities to the subscribers, or provision for their wives or children after their death, or payments to their estate or their nominees upon their death, in which the payment which may be made in respect of any one nominee does not exceed either a single payment of Rs. 3,000, or an annual payment of Rs. 500.

NOTE.—The East Indian Railway Savings Bank shall be deemed to be a "Service Fund" within the meaning of this exemption.

(B) to rule—

- (9) that a claim to exemption preferred under section 5, sub-section (1), clause (g), of the Act on that portion of income taxable under Part I of the Second Schedule of the Act which is paid as a premium to an Insurance Company shall not be entertained if the claim is made after the expiration of six months from the last day of the financial year during which the premium was paid;
- (10) that officers and men of the Indian Marine Service shall not for the purposes of section 5, sub-section (1), clause (i), of the Act be treated as belonging to Her Majesty's Indian Forces; and
- (11) that for the purposes of the Act—
 - (a) the tentage allowance included in the pay and Indian allowances of an officer in military employ under Article 748 of the Army Regulations, India, Volume I, Part I, shall be deemed to be salary unless the officer has provided and has in his possession the camp equipage of his rank in a serviceable condition;
 - (b) the horse allowance shown as included in the consolidated or staff pay of the several appointments specified in Article 91 of the Army Regulations,

¹ The words "and the funds of which are either deposited with the Government or invested in Government Securities" were omitted by Notification No. 2503-Exc., dated the 25th April, 1907, see Gazette of India, 1907, Pt. I, p. 311.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Exemptions as to liability to Income-tax—*contd.*

India, Volume I, Part I, shall be deemed to be salary, unless the officer has provided and actually maintains the number of *bonâ fide* chargers prescribed for his rank.

[See Gazette of India, 1890, Pt. I, p. 408.]

Exemption from income-tax of salary of soldiers whose salaries were previously exempted when deputed to plague or famine duty and when under Rs. 500 a month.

No. 4812-S. R., dated the 3rd November, 1898.—In exercise of the power conferred by section 6 of Act II of 1886, the Governor General in Council is pleased to exempt from liability to the tax payable under that Act the salary of any officer, warrant officer, non-commissioned officer or private of Her Majesty's forces or of Her Majesty's Indian forces who has been or may be deputed from employment in which his salary was exempted under section 5 (1) (i) of the said Act to plague or famine duty under the Civil Department and whose salary does not exceed five hundred rupees per mensem.

[See Gazette of India, 1898, Pt. I, p. 1086.]

Political Officers invested with powers of Collector.

No. 4135-I., dated the 16th September, 1887.—In exercise of the powers conferred by section 40 of Act II of 1886 (the Income Tax Act, 1886), the Governor General in Council is pleased to invest each of the Political Officers named below with the powers of a Collector under the said Act for the purpose of granting certificates in respect of interest on Government Securities in Forms B, C and D, prescribed in Rule 9 of the Notification issued by the Government of India, in the Department of Finance and Commerce, No. 1593, dated the 5th February, 1886, when such securities are held by persons residing outside of British India:—

- (1) The Resident in Nepal.
 - (2) The Resident in Kashmir.
 - (3) The Political Resident in Turkish Arabia.
 - (4) The First Assistant to the Resident at Hyderabad.
 - (5) The Assistant to the Resident in Mysore.
-

¹ Repealed by Notification No. 2763, dated the 6th June, 1890, *infra*, p. 836.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Political Officers Invested with powers of Collector—*contd.*

- ¹(5A) The Resident at Indore.
- ¹(5B) The Political Agent in Malwa.
- (6) The First Assistant to the Agent to the Governor General in Central India.
- (7) The Resident at Gwalior.
- (8) The Political Agent in Bhopal.
- (9) The Political Agent in Baghelkhand and Superintendent of the Rewah State.²
- (10) The Political Agent in Bundelkhand.
- (11) The Political Agent in Bhopawar.
- (12) The First Assistant to the Agent to the Governor General in Rajputana.
- ³(13) The Resident in Jaipur.
- (14) The Resident in the Western States of Rajputana.
- (15) The Resident in Meywar.
- (16) The Political Agent in Ulwar.
- (17) The Political Agent in Kotah.
- ⁴(18) The Political Agent in Jhallawar.
- (19) The Political Agent in Bikanir.
- (20) The Political Agent in Harowtee and Tonk.
- ⁵(21) The Political Agent in the Eastern States of Rajputana.
- (22) The First Assistant to the Agent to the Governor General at Baroda.
- (23) The First Assistant to the Agent to the Governor General in Baluchistan.
- ⁶(24) The Political Agent, Quetta.
- ⁶(25) The Political Agent, Zhoh.
- ⁶(26) [The Political Agent, Kalat, Bolan Pass and Nnski Railway District.]

¹ Added by Notification No. 5020-I. B., dated the 6th November, 1903, *see* Gazette of India, 1903, Pt. I, p. 957.

² The Superintendency at Rewah has now been abolished.

³ Substituted by Notification No. 1269-I., dated the 22nd March, 1889, *see* Gazette of India, 1889, Pt. I, p. 172.

⁴ This Agency has now merged in the Kotah Agency.

⁵ Substituted by Notification No. 1269-I., dated the 22nd March, 1889, *see* Gazette of India, 1889, Pt. I, p. 172.

⁶ Substituted by Notification No. 1479-E., dated the 17th July, 1890, *see* Gazette of India, 1890, Pt. I, p. 530.

⁷ Substituted by Notification No. 3074-F. B., dated the 16th October, 1903, *see* Gazette of India, 1903, Pt. I, p. 916.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Political Officers Invested with powers of Collector—*concl'd.*

- ¹(27) The Political Agent in South Eastern Baluchistan.
- ¹(28) ²[The Political Agent, Kohlu, Nasirabad and Railway District.]
- ¹(29) The First Assistant to the Political Resident in the Persian Gulf.
- (30) The Political Agent at Muscat.

[See Gazette of India, 1887, Pt. I, p. 465.]

Political Agent, Loralai, invested with powers of Collector.

No. 3074-F. B., dated the 16th October, 1903.—In exercise of the powers conferred by section 40 of the Indian Income-tax Act, 1886 (II of 1886), the Governor General in Council is pleased to invest the Political Agent, Loralai, for the time being, with the powers of a Collector under the said Act, for the purpose of granting certificates in respect of interest on Government securities in Forms B, C, and D, prescribed in rule 9 of the notification issued by the Government of India in the Department of Finance and Commerce, No. 2763, dated the 6th June, 1890, when such securities are held by persons residing outside of British India.

[See Gazette of India, 1903, Pt. I, p. 916.]

First Assistant Resident, Hyderabad, invested with powers of Collector.

No. 3718-I. B., dated 1st December, 1913.—In exercise of the powers conferred by section 40 of the Indian Income Tax Act, 1886 (II of 1886), the Governor General in Council is pleased to invest the First Assistant Resident at Hyderabad with the powers of a Collector under the said Act within the Cantonment of Secunderabad for the purpose of assessing British subjects, in the service of Government under Part IV of Schedule II of the Act.

[See Gazette of India, 1913, Pt. I, p. 1316.]

Rules under the Act.

No. 2763, dated the 6th June, 1890.—In exercise of the powers conferred upon him by Act II of 1886, and of all other powers enabling him

¹ Substituted by Notification No. 1479-E., dated the 17th July, 1890, see Gazette of India, 1890, Pt. I, p. 530.

² Substituted by Notification No. 3074-F. B., dated the 16th October, 1903, see *infra*.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

in this behalf, and in supersession of the Notifications in the Department of Finance and Commerce—

No. 593,	dated the 5th February, 1886
„ 674,	„ 7th May, 1886
„ 2635,	„ 19th August, 1886
„ 438,	„ 30th September, 1886
„ 2303,	„ 5th May, 1887
„ 4678,	„ 31st August, 1887

the Governor General in Council is pleased to make the following rules under the said Act:—

1. The time within which amounts deducted from salary, annuity, pension, or gratuity paid by a Local Authority under section 8, sub-section (1) of the Act must be paid to the credit of the Government of India, is fixed at one week from the date of payment of the salary, pension, annuity, or gratuity. The payment to the credit of the Government shall be made by remitting the amount to the Collector with a statement giving the following particulars for each person from whom the tax has been realised:—

- (1) Name.
- (2) Period for which the salary, pension, or annuity has been paid.
- (3) Amount of salary, pension, annuity, or gratuity paid.
- (4) Amount of tax.

2. The return required by section 10 of the Act shall be in Form A hereto appended.

The name of any person who is receiving, at the date of the return prescribed by section 10 of the Act, a salary, pension, or annuity which does not amount to Rs. 300 per annum, or has received during the year ending on that date a gratuity which does not amount to that sum, need not be shown in the return.

3. Any sums, such as payments to regimental mess or hand funds or the like compulsorily stopped from salary by the orders, or with the approval, of the Government, shall be deducted from the salary previous to assessment.

A portion of salary withheld in pursuance of an order of a Court is not a sum compulsorily stopped from salary within the meaning of this rule.

4. When a deduction is made from the amount of salary, pension, or annuity liable to assessment on account of a payment made to a Life Insurance Company, the sum deducted shall, if the premium is payable in sterling, be the actual cost of remittance as stated by the assessee; or,

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

if the assessee is unable to state such actual cost, the equivalent in rupees of the sterling payment calculated at the official rate of exchange for the year in which the deduction is made.

5. A deduction such as is mentioned in the preceding rule must be supported either—

- (1) by the original receipt of the Insurance Company; or
- (2) (in the case of a deduction claimed by a servant of the Government or of a Local Authority) by a copy of the same presented together with the original, to the officer who pays the salary, pension or annuity, and attested by that officer who should after such attestation return the original; or
- (3) by a duplicate receipt given by the Insurance Company; or
- (4) by a certificate of payment given by the Insurance Company.

In cases (1), (3), and (4), the receipt or certificate should be returned as soon as the fact of payment is admitted in the due course of audit.

Where the Collector is satisfied that none of the above prescribed documents can be produced without an amount of delay, expense, or inconvenience which, under the circumstances of the case, would be unreasonable, he may accept such other proof of payment of the premium as he may deem sufficient.

6. The amounts exempted from the tax by section 5, sub-section (1), clause (g), of the Act, and referred to in rule 4 of these rules, shall not be deducted from income for the purpose of determining whether the income is liable to the tax, or of determining under Part I of the Second Schedule of the Act the rate at which the tax shall be levied.

(7) The amount to be assessed under section 24, sub-section (1), of the Act on account of a building occupied by the owner thereof shall not in any case exceed 10 per cent of the aggregate income of the owner derived from all sources. It must not, however, be understood from this that a maximum of 10 per cent of the aggregate income of the owner is to be assumed in every case as equivalent to the letting-value of his house. The letting-value should in all cases be ascertained on the best data available in view of the circumstances of the locality in which the house is situated.

8. After the close of the year of assessment each Accountant General or other auditing officer shall submit return No. 1, in the form hereto appended to such officer as the Local Government may direct.

9. The certificates referred to in the second column of Part III of the Second Schedule of the Act shall be in Form B or in Form C, hereto appended.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

10. Any claim under section 5, sub-section (1), clause (c), of the Act to exemption from the levy of the tax on the interest of securities employed solely for religious or public charitable purposes within the meaning of that clause must be supported by a certificate from the Collector, which shall be in Form D hereto appended.

11. In the case of securities, the interest on which is payable by the Government of India, the amount deducted on account of the tax under section 13, sub-section (1), of the Act shall be paid to the credit of the Government on the same day as the payment of the interest is made.

12. In the case of securities, the interest on which is not payable by the Government of India, the amount so deducted shall be paid to the credit of the Government within one week from the date on which interest is paid. The person deducting the amount should pay it to the credit of the Government by remitting the amount to the Collector, with a statement showing the following particulars:—

- (1) Name of owner.
- (2) Description of security.
- (3) Number of security.
- (4) Date of security.
- (5) Amount of security.
- (6) Period for which interest is drawn.
- (7) Amount of interest.
- (8) Amount of tax.

13. After the close of the year of assessment, each Accountant General and Comptroller shall submit Return No. II, in the form hereto appended to such officer as the Local Government may direct.

14. In calculating the amount of tax payable, the amount due on a fraction of a rupee shall be neglected. Thus the tax to be realised on a monthly salary of Rs. 166-10-8 is Rs. 4-5-2 only.

15. All public servants are forbidden to make public or disclose, except for the purpose of the working of the Act, any information contained in documents delivered or produced with respect to assessments under Part IV of the Second Schedule of the Act, and any public servant committing a breach of this rule shall be deemed to have committed an offence under section 166 of the Indian Penal Code.

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All public servants are further enjoined to be most careful to regulate their proceedings, as far as practicable, in such manner as to prevent information which should be kept secret from becoming known. It should be noted that information of this nature is to be withheld by

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

officers administering the Act from persons in the employment of assessees.

16. Power to make further rules is hereby delegated to the several Local Governments, and no rules already made by Local Governments under authority given by the Governor General in Council shall be deemed to be cancelled by the supersession of any of the notifications quoted in the present Notification.

17. Each Local Government will prescribe forms of registers to be maintained by Collectors and others for the purpose of showing the demand and collections of the tax, the various classes of incomes assessed and the working of the several provisions of the Act.

18. & 19. [*Rep. by No. 3217-S. R., dated the 12th June, 1901, see Gazette of India, 1901, Pt. I, p. 384.*]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

FORM A
(See Rule 2.)
Return made by the principal officer of every Local Authority, Company, Public Body or Association under section 10 of Act II of 1886.

Name of employé, pen- sioner, annu- itant, or receiver of gratuity,	Designation.	Residence.	Date of employment, if new.	Monthly rate of fixed salary payable on date of return.	Allowances, fees, commis- sions, perquisites or profits, in lieu of, or in addition to, fixed salary, bonus and gratuities paid during the 12 months ending March.	Yearly amount of pension or annuity payable.	REMARKS.
1	2	3	4	5	6	7	8

I hereby certify that no persons (Europeans, Indians or others) employed in this _____ have during the year received payments of the kind described in columns 5, 6, and 7 above, amounting to Rs. 600 or more other than the persons noted in this return.

(Signature of the member of the _____ making the return.)

NOTE—

- (1) If an employé has been or expects to be on leave out of India between the 1st April last and 31st March next, notice should be given in the remark column.
- (2) If an employé has left your service since the submission of the last preceding return, or if any changes are anticipated, before the 31st March next, it is requested that a note regarding the same may be made at the back of this form as this timely information will render much correspondence unnecessary.
- (3) The year referred to in column 6 is the year immediately preceding the date of return.

¹ Substituted by Notification No. 4783-F., dated the 4th August, 1911, *see Gazette of India, 1911, Pt. I, p. 623.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*contd.*

FORM B.

(See RULE 9.)

I _____, Collector of _____, do hereby certify that the income of (name) owner of the $\frac{\text{security}}{\text{securities}}$, specified below, including the interest on $\frac{\text{that security}}{\text{those securities}}$, but excluding income from agriculture, is less than Rs. 500 a year.

Dated

Collector of

Description of security.	Number.	Date.	Amount.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN INCOME-TAX ACT, 1886 (II OF 1886).

Rules under the Act—*concl'd.*

FORM D.

(See RULE 10.)

I , Collector of , do hereby certify that the interest on the ^{security}~~securities~~, specified below, standing in the name of , is employed solely for ^{religious}~~public charitable~~ purposes.

Dated

Collector of

Description of security.	Number.	Date.	Amount.

NOTE.—Returns numbered I to VI are not reproduced here as being of insufficient importance, *see* Gazette of India, 1890, Pt. I, pp. 414 to 422.

[See Gazette of India, 1890, Pt. I, p. 409.]

Exemption of the Incomes of certain Institutes from tax.

No. 364-F., dated 3rd September, 1912.—In exercise of the powers conferred by section 6 of Act II of 1886, the Governor General in Council is pleased to exempt from liability to the tax payable under the said Act the income of (i) the Victoria Technical Institute in Madras, (ii) the British India Association of Oudh, and (iii) the Police Remount Fund in the United Provinces.

2. Nothing in this Notification shall extend to interest payable on a Government Security in respect of any period (the period running to date of payment of interest from last date of payment thereof) during which a transfer of the security has been effected.

[See Gazette of India, 1912, Pt. I, p. 884.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Date of operation of Births, Deaths and Marriages Registration Act, 1886 (VI of 1886).

No. 1161, dated the 19th July, 1888.—The Governor General in Council is pleased to direct under section 1, sub-section (2) of the Births, Deaths, and Marriages Registration Act, No. VI of 1886, that that Act shall come into force on the first day of October, 1888.

[See Gazette of India, 1888, Pt. I, p. 336.]

Rules under the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886).

No. 1173, dated the 19th July, 1888.—The Governor General in Council is pleased to publish the following rules made under sections 26, 28, and 36 of the Births, Deaths and Marriages Registration Act, No. VI of 1886:—

1. In these rules unless there is something repugnant in the subject or context,—

- (1) "the Act" means the Births, Deaths and Marriages Registration Act, 1886:
- (2) "schedule" means a schedule to these rules:
- (3) "Registrar-General" and "Registrar" mean respectively a Registrar-General of Births, Deaths and Marriages and a Registrar of Births and Deaths appointed under the Act: and
- (4) "sign" used with reference to a person who is unable to write his name includes mark.

2. Notices of births and deaths shall be in the forms set forth in Schedule A and Schedule B, respectively.

3. Every such notice shall be signed by the person giving it, and shall specify the capacity in which the person claims to be authorised to give it.

4. Every such notice shall ordinarily be presented to the Registrar for the local area in which the birth or death occurred within three months of the date of the birth or death to which it refers, as the case may be:

Provided that the Registrar may, of his own authority for any reason which he considers sufficient, accept notice of a birth or death at any time within six months from the date of its occurrence and with the special sanction in writing of the Registrar-General after that time.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—*contd.*

5. An appeal against an order of a Registrar refusing to register a birth or death on any other ground than that referred to in proviso (a) to section 19 of the Act shall lie to the Registrar-General, who may in his discretion either confirm the order of the Registrar or direct him to register the birth or death.

6. Registers of births and deaths shall be kept in the forms set forth in Schedule C and Schedule D, respectively.

7. When a birth or death has occurred during a journey, or when a person giving notice of a birth or death was compelled by duty or urgent necessity, or unavoidable accident to leave the local area in which such birth or death occurred so soon after its occurrence that he was unable to give the prescribed notice to the Registrar for that local area,

any Registrar may receive notice of such birth or death and register the same as if it were a birth or death which had occurred within the local area for which he has been appointed:

8. The provisions of Rule 4, as to the time within which notice of a birth or death must be given, shall apply to every notice of a birth or death given under the circumstances described in the last foregoing rule.

9. In every case of a birth or death admitted to registration under Rule 7, the Registrar to whom the notice of the birth or death is given shall record in his register the reason why the notice was not given to the Registrar of the local area within which the birth or death occurred, and shall, within one week from the date of the registration of the birth or death, forward to the Registrar-General, and to the Registrar of the local area within which the birth or death occurred, a copy of the entry in the register relating to the birth or death.

Every Registrar shall paste into a book kept by him for the purpose all copies of entries received by him under this rule, and the book containing the copies shall be at all reasonable times open to inspection by any person desiring to inspect it.

10. The Registrar for any local area including a port may register any birth or death which has occurred on the high seas on board any ship arriving at such port:

Provided that notice of the birth or death is given to such Registrar within sixty days after the arrival of the ship.

In the notice of such birth or death and in the entry thereof in the register there shall be specified in lieu of the name of the place at which

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).****Rules under the Act—*contd.***

the name of the ship on which the event occurred and the name of the Commander of the ship and the approximate latitude and longitude of the ship's position at the time of the birth or death.

11. Every certificate of registration of a birth or death given by a Registrar under section 23 of the Act shall be in the form set forth in Schedule E.

12. At the foot of every copy of an entry given under section 9 or section 25 of the Act, there shall be written a certificate dated and subscribed by the Registrar-General or officer-authorised under section 9 or by the Registrar, as the case may be, that the copy is a true copy of the entry.

13. Every Registrar shall keep in the form set forth in Schedule F a register of all certificates of registration and copies of entries given by him.

Every Registrar-General shall keep a register in a similar form of all copies given by him of entries in the certified copies of the registers sent to his office.

14. The copies of entries, births and deaths which Registrars are required by section 24 of the Act to send to the Registrar-General shall be certified in the form set forth in Schedule G, and shall be sent at intervals of three months on or as nearly as possible after the 1st January, April, July and October in each year.

Should no entries be made in a register during the preceding three months, a certificate to this effect shall be sent to the Registrar-General.

15. The indexes which are required by section 7 of the Act to be made of the certified copies of the registers of births, deaths and marriages sent to the office of the Registrar-General shall be in the forms set forth in Schedule H, Schedule I and Schedule J, respectively.

Every entry in an index shall be made alphabetically with reference to the initial letter of the name of the person indicated by the entry.

In the index of certified copies of entries of marriages, the names of both the husband and the wife must be indexed.

In the case of the person of European descent the initial letter will be the first letter of the surname; and in the case of any other person the first letter of his name and not that of his rank, title or class.

16. A Registrar may, of his own motion, correct in manner prescribed in section 28 of the Act any error in form made in an entry of a birth or death in a register of births or register of deaths kept by him under the Act.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—*contd.*

In every case in which an entry is corrected under this rule intimation thereof shall (if practicable) be communicated within one week from the date of the correction being made to the person who gave the notice of the birth or death.

17. When an error in substance in any entry of a birth or death in a register of births or register of deaths is asserted to have been made the Registrar may correct the error in manner prescribed in section 28 of the Act on application made in writing and signed in the presence of two witnesses attesting the signature by any person authorised under section 20 or 21 as the case may be to give notice of the birth or death to which the entry relates:

Provided that the Registrar is satisfied that the application is well founded.

An appeal against an order of a Registrar under this rule refusing to correct an asserted error in an entry in a register shall lie to the Registrar-General, who may in his discretion either confirm the order of the Registrar or direct him to correct the error.

18. Without the special sanction in writing of the Registrar-General an application for the correction of an entry in a register of births or register of deaths shall not be entertained after the expiration of one year from the date on which the notice of the birth or death was given.

19. The sums specified in Schedule K shall be the fees payable under the sections of the Act there referred to:

Provided that soldiers and non-commissioned officers of Her Majesty's Regular Forces and all seamen shall be exempted from the payment of any fees.

20. ¹Every Registrar-General and every Registrar, who is a Government servant and not a minister of religion, shall keep a register in the form set forth in Schedule L of all fees realized under these rules, and shall forward such fees at the end of each month to the nearest treasury to be credited to Government. The Treasury Officer shall give each Registrar a certificate of the amount so credited, and the Registrar shall send a copy of the certificate to the Registrar-General. Registrars who are not Government servants or who are ministers of religion may retain for their own use any fees which they may realize under these rules.

¹ Substituted by Notification No. 185, dated the 27th July, 1894, see Gazette of India, 1894, Pt. I, p. 436.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—contd.

SCHEDULES.

SCHEDULE A.

Notice of a Birth.

(Rule 2.)

To the Registrar of Births and Deaths for *(local area or class)*.

I, A. B. *(name, description and residence)* being *(here state the capacity in which the person claims to be authorised to give the notice)*, hereby give notice for the purposes of section 19, Act VI of 1886, that on *(date)* at *(place)* I, A. B. or my wife, C. D. or C. D. *(name and description)* was delivered of a , and I request that the said birth may be registered.

Signature.

SCHEDULE B.

Notice of a Death.

(Rule 2.)

To the Registrar of Births and Deaths for *(local area or class)*.

I, A. B. *(name, description and residence)* being *(here state the capacity in which the person claims to be authorised to give the notice)* hereby give notice for the purposes of section 19, Act VI of 1886, that on *(date)* at *(place)* my *(state relationship)* C. D. *(name and description)* or C. D. *(name and description)*, died of , and request that the said death may be registered.

Signature.

SCHEDULE C.

Register of Births.

(Rule 6.)

1. Serial number.
2. Date of birth.
3. Place of birth.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—*contd.*

4. Name, if any.
5. Sex.
6. Name, race, religion, and occupation of father.
7. Name, race and religion of mother.
8. Signature, description and residence of person giving notice.
9. Signature, description and residence of mother and person acknowledging himself to be father [*column only to be used in the case referred to in section 19, proviso (b), and section 22, sub-section 3*].
10. Reason why notice was not given to Registrar within whose local area birth occurred (*column only to be used in the case of a birth registered under Rule 7*).
11. Date of registration.
12. Signature of Registrar.
13. Rectification of error in entry.

SCHEDULE D.

Register of Deaths.

(Rule 6.)

1. Serial number.
2. Date of death.
3. Place of death.
4. Name, sex, religion and occupation of deceased.
5. Name, race, religion and occupation of parents of deceased.
6. When deceased was a married woman or a widow, name, race, religion and occupation of her husband or late husband.
7. Age of deceased.
8. Cause of death.
9. Signature, description and residence of person giving notice.
10. Reason why notice was not given to Registrar within whose local area death occurred (*column only to be used in the case of a death registered under Rule 7*).

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—*contd.*

11. Date of registration.
12. Signature of Registrar.
13. Rectification of error in entry.

SCHEDULE E.

Certificate of Registration of Birth or Death.

(Rule 11.)

Certified that I have this day registered the birth (or death) to which the entry in the Register of Births (or deaths), of which a true copy is above written, relates.

Dated the of

A. B.,

Registrar of Births and Deaths,
for (local area or class).

SCHEDULE F.

Register of Certificates of Registration or Copies of Entries granted.

(Rule 13.)

1. Serial number.
2. Name and residence of person applying for certificate or copy.
3. Date of application.
4. Nature of certificate or copy granted.
5. Date of grant of certificate or copy.
6. Fee paid.
7. Initials of Registrar.
8. Remarks.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—*contd.*

SCHEDULE G.

Certificate of truth of copies of entries sent to Registrar-General.

(Rule 14.)

Certified that the above, which contains entries from No. _____
regarding _____ to No. _____ regarding _____, is a true
copy of all the entries in the Register of Births (or Register of Deaths,
as the case may be) kept by me for the three months ending
the day of _____ 18 ____.

Dated the _____ of _____.

Signature.

Registrar of Births and Deaths,
for (*local area or class*).

SCHEDULE H.

Index of certified copies of Registers of Births.

(Rule 15.)

Name and sex.

Father's name.

Date.

Place.

Reference to certified copy of register.

SCHEDULE I.

Index of certified copies of Registers of Deaths.

(Rule 15.)

Name and sex.

Father's name.

Date.

Place.

Reference to certified copy of register.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules under the Act—contd.

SCHEDULE J.

Index of certified copies of entries of marriages.

(Rule 15.)

Name of (husband) (wife).

Date.

Place.

Reference to certified copy of entry.

SCHEDULE K.

Fees leviable under Sections 8, 23 and 25 of the Act.

(Rule 19.)

	Rs.	A.	P.
(i) Under section 8 for inspection of indexes in the office of Registrar-General—			
(a) For the first year	1	0	0
(b) For every additional year, four annas up to a maximum for one inspection of	5	0	0
(ii) Under section 8 for each copy of an entry in a certified copy of a register in the office of a Registrar-General	1	0	0
(iii) Under section 23 for a certificate of registration of birth or death	1	0	0
(iv) Under section 25 for search in a register of births or deaths—			
(a) for the first year	1	0	0
(b) for every additional year, four annas up to a maximum for one search of	5	0	0
(v) Under section 25 for each copy of an entry given by a Registrar	1	0	0

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Commissioners for the purposes of the Act—contd.

No. 1525, dated the 17th October, 1890.—In exercise of the power conferred by section 35A (1) of the Births, Deaths and Marriages Registration Act, VI of 1886, as amended by Act XVI of 1890, the Governor General in Council is pleased to appoint the undermentioned persons to be Commissioners for the purpose of examining and verifying the registers of records which have already been or may hereafter be sent under section 32 of the Act to the Registrar-General of Births, Deaths and Marriages for Bengal:—

The Registrar-General of Births, Deaths and Marriages for Bengal.

The Remembrancer of Legal Affairs, Bengal.

The Registrar of the Calcutta Diocese.

[See Gazette of India, 1890, Pt. I, p. 744.]

No. 1527, dated the 17th October, 1890.—In exercise of the power conferred by section 35A (1) of the Births, Deaths and Marriages Registration Act, VI of 1886, as amended by Act XVI of 1890, the Governor General in Council is pleased to appoint the undermentioned persons to be Commissioners for the purpose of examining and verifying the registers or records which have already been or may hereafter be sent under section 32 of the Act to the Registrar-General of Births, Deaths and Marriages for the North-Western Provinces and Oudh:—

The Registrar-General of Births, Deaths and Marriages for the North-Western Provinces and Oudh.

The Legal Remembrancer to the Government of the North-Western Provinces and Oudh.

The Secretary to the Board of Revenue, North-Western Provinces.

[See Gazette of India, 1890, Pt. I, p. 744.]

Rules for Commissioners appointed under section 35A (1) of the Act.

No. 1535, dated the 17th October, 1890.—In exercise of the powers conferred by section 36 (e) and (f) of the Births, Deaths and Marriages

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules for Commissioners appointed under section 35A (1) of the Act—*contd.*

Registration Act, VI of 1886, the Governor General in Council is pleased to frame the following rules for the guidance of Commissioners to be appointed under section 35A (1) of the above Act as amended by Act XVI of 1890:—

1. The descriptive lists to be prepared by the Commissioners appointed under Chapter V of the Act shall show, in three separate classes, the registers or records, or portions of registers or records—

- (a) relating to births, baptisms, namings, or dedications;
- (b) relating to marriages;
- (c) relating to deaths or burials.

2. Each list shall show in each class in alphabetical order the places at which the registers or records, or portions of registers or records therein referred to, have been kept.

3. The volumes of the registers or records, or portions of registers or records, kept at each place shall be shown in the list according to the chronological sequence of the entries therein; and the number so assigned to each volume in the list shall be written or impressed on the outside of such volume.

4. The pages of each register or record, or portion of a register or record, examined shall be numbered in consecutive order; and the total number of the pages in each register or record, or portion of a register or record, shall be entered in the descriptive list.

5. The entries in each year in every register or record, or portion of a register or record, examined shall be numbered in consecutive order, where this has not already been done, and the total number of entries for each year in each register or record or portion of a register or record shall be shown in the descriptive list, together with the dates of the first and last entries.

6. Every blank space, blank page, interlineation, and erasure found in each register or record, or portion of a register or record, when examined by the Commissioners shall be indicated therein by a stamp impressed; and the descriptive list shall show in appropriate columns on what pages in each register or record, or portion of a register or record, such impressions have been made.

7. Entries in registers or records, or portions of registers or records, which purport to be true copies only shall be indicated therein by a stamp impressed; and the descriptive list shall show on what pages in each register or record, or portion of a register or record, such impressions have been made.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules for Commissioners appointed under section 35A (1) of the Act—*contd.*

8. Every descriptive list shall further show in appropriate columns the following particulars:—

- (1) the name and description of the person from whom each register or record, or portion of a register or record, to which it relates was received;
- (2) the names and descriptions of the persons by whom such register or record, or portion of a register or record, was kept;
- (3) the class or classes of persons to whom the entries in such register or record, or portion of a register or record, relate; and
- (4) the condition of each register or record, or portion of a register or record, or any other remarks relating thereto as the Commissioners may think fit to record.

9. The descriptive list shall be in the following form:—

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

Rules for Commissioners appointed under section 35A (1) of the Act—*contd.*

Descriptive List prepared by the Commissioners appointed under
of

Class A.—Births and

N.B.—The entries are imaginary and

Place at which kept.	Number of volume.	Years.	Number of entries in each year.	DATES.		PAGES.		
				First entry in volume.	Last entry in volume.	Total in volume.	Blank.	Containing blank spaces.
(i) Ahmedabad	Volume (I).	1818	35	1st June 1818	31st December 1820.	450	318 to 400	17, 25, 98, 175, 300
		1819	42					
	Volume (II).	1820	67					
		1830	10	1st January 1830.	30th November 1832.	300	250 to 300	7, 19, 65
Ahmednagar	Volume (I).	1832	56					
		1845	50	1st January 1845.	31st December 1846.	200	Nil	5, 30, 85
		1846	57					

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).

Rules for Commissioners appointed under section 35A (1) of the Act—*contd.*

Chapter V of the Births, Deaths and Marriages Registration Act, 1886.

Baptisms.

for the sake of illustrating the form only.

			NAMES AND DESCRIPTIONS OF PERSONS FROM WHOM RECEIVED.		NAMES AND DESCRIPTIONS OF PERSONS BY WHOM KEPT		Class to which entries refer.	Condition of book or other document.
Containing entries.	Containing interlineations.	Containing entries purporting to be true copies only.	Name.	Description.	Name.	Description.		
106, 225	68, 79, 85	19, 54, 76	Reverend O. H.	Chaplain, Church of England	Reverend A. B.	Chaplain, Church of England.	Protestant	Such to
87, 96, 105	88, 99	..	Reverend I. J.	Chaplain, Church of England.	Reverend C. D.	Chaplain, Church of England.	Protestant.	Such to
17, 23	66, 81	..	Reverend K. L.	Chaplain, Church of England.	Reverend E. F.	Chaplain, Church of England.	Protestant.	Such to

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

**THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886
(VI OF 1886).**

**Rules for guidance of Commissioners appointed under section 35A (1) of the Act,
as amended by Act XVI of 1890.**

No. 306, dated the 4th March, 1892.—In exercise of the power conferred by section 36 (g) of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to frame the following rule for the guidance of the Commissioners appointed under section 35A (1) of the above Act as amended by Act XVI of 1890:—

The certificates in writing required by section 34 (3) of the said Act shall be signed by not less than two Commissioners.

[See Gazette of India, 1892, Pt. I, p. 123.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Application of section 7 (1) of the Act to certain offices.

No. 1470, dated the 26th March, 1886.—His Excellency the Governor General in Council is pleased to declare that sub-section (1) of section 7 of the Indian Securities Act, 1886, applies to the following public offices:—

Office of Comptroller and Auditor General.	Office of Inspectors-General of Registration.
„ Accountants-General.	„ Inspectors-General of Police.
„ Comptroller.	„ Deputy and Assistant Inspectors-General of Police.
„ Controller of Military Accounts.	„ District Superintendents of Police.
„ Accountant-General, Military Department.	„ Political Residents.
„ Accountant-General, Public Works Department.	„ Political Agents.
„ Examiners of Public Works Accounts.	„ ¹ Director General, Supply and Transport.
„ Military Works Accounts.	„ ¹ Inspector-General, Supply and Transport.
„ Examiner of Telegraph Accounts.	„ ¹ Executive Supply and Transport Officers.
„ Secretaries to the Government of India.	„ Superintending Engineers.
„ Secretaries to Local Governments and Administrations.	„ Executive Engineers.
„ Secretaries to Boards of Revenue.	„ Masters of the Mint.
„ Commissioners.	„ „ „ „ „
„ Collectors, Magistrates.	„ Director-General of Post Office.
„ Judges.	„ Post Masters General and Deputy Post Masters General.
„ Deputy Commissioners.	„ Director General of Telegraphs.
„ Treasury Officers.	
„ Directors of Public Instruction.	
„ Inspectors of Schools.	
„ Inspectors-General of Jails.	

¹ Substituted by Notification No. 5738-A., dated the 17th September, 1903, see Gazette of India, 1903, Pt. I, p. 852.

² The words "Inspector-General of Forests," "Conservator of Forests" and "Deputy Conservator of Forests," were omitted by Notification No. 264, dated the 18th January, 1897, see Gazette of India, 1897, Pt. I, p. 40.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII of 1886).

Application of section 7 (1) to the office of Inspectors General, Railway Mail Service and Sorting—*contd.*

(XIII of 1886), the Governor General in Council is pleased to declare that the sub-section shall apply to the Office of Inspectors General, Railway Mail Service and Sorting.

[See Gazette of India, 1913, Pt. I, p. 772.]

Rules under section 14 of the Act.

No. 96, dated the 7th January, 1888.—Resolution.—In accordance with the provisions of the Indian Securities Act (XIII of 1886), the Governor General in Council is pleased to make the following rules under section 14 of the Act:—

1. Interest cages showing the several half-years at which interest will accrue, shall be imprinted on the reverse of each new note issued, and payment shall be recorded by the stamp of the Disbursing Office or by a manuscript entry over the space apportioned to the half-year concerned. If payment be made at a Presidency-town, the recording entry shall show the Presidency and the date and number of the issuing warrant, which shall be in the form of a negotiable instrument payable to the holder's order. But if payment be made at a District Treasury, the recording entry shall show the name of the Treasury, the number borne by the payment voucher, and the date of payment; this entry shall be authenticated by the initials of the Treasury Officer, and the holder's receipt shall be taken on the face of the payment voucher. If, however, the note be of the old form, and bear no interest cage, the holder's endorsement for interest will be required on the note itself, and payments will be authenticated by the Disbursing Officer under the endorsement as heretofore.

2. Under the preceding rule, interest cages shall be imprinted and (in the case of notes in the old form) holder's endorsements for interest shall be written only on the back of the note itself.

3. If the note be of the old form and bear no interest cage, the holder's endorsement for interest should agree letter for letter with the name in the body of the note or in the transferring endorsement, as the case may be; the usual signature may be added below:—

¹ 4. (1) Every endorsement purporting to be signed by a native female shall be attested by the signatures of two respectable witnesses.

(2) Such witnesses shall appear in person before—

(a) an officer in charge of a Treasury, or

¹ Substituted by Notification No. 4870, dated the 10th September, 1912, see Gazette of India, 1902, Pt. I, p. 669.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd*.

- (b) an officer in charge of a Sub-Treasury (not being a ministerial officer) empowered by law to take evidence, or
- (c) a Justice of the Peace or Magistrate, and shall testify to the genuineness of the endorsement.

(3) Such officer or Magistrate shall authenticate the examination of every such witness in the following form, namely:—

Examined before me.

(Signed) A.B.

Magistrate

District.

Magistrate

Treasury Officer

at

in the

District.

Sub-Treasury Officer

¹[Provided that—

- (1) in the case of English endorsements, the provisions of this rule and
- (2) in the case of receipts for payment of interest on Government Promissory notes made at a Presidency Bank, the provisions of sub-rules (2) and (3)

shall not be enforced unless it is specially so directed by the officer making the payment.]

5. ²No notice will be taken of any trust appearing in an endorsement of transfer or receipt for interest. When a note is endorsed to, or received by, any person in his capacity of trustee or in any other representative capacity, such person will be treated in all respects as the true owner of the note.

6. A note blank endorsed by the holder is not receivable at any Government Treasury or at the Public Debt Offices in the Presidency-towns. The holder of any such security will therefore be required to specially endorse the same before submitting it for payment of interest.

¹ This proviso was substituted by Notification No. 2927-A., dated the 6th June, 1910, see Gazette of India, 1910, Pt. I, p. 457.

² Rule 5 was substituted by Resolution No. 3553-A., dated 19th August, 1896, see Gazette of India, 1896, Pt. I, p. 423.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

7. ¹The holder of a note may be required to receipt the same for renewal in all or any of the following cases, that is to say:—

- (1) If the note has been enfaced for payment of interest at a Mofussil Treasury, and the holder thereof is desirous of altering the place of payment.
- (2) If only sufficient room remains on the back of the note for one further endorsement, or when any word or words is or are written upon the note across any existing endorsement or endorsements, all cross endorsements being strictly prohibited.
- (3) If the note is torn or in any way damaged or crowded with writing or unfit, in the opinion of the officer before whom it is produced for payment of interest, for receiving endorsement.
- (4) If the note bears an endorsement which transfers the note to, or is signed by, any person otherwise than in his personal capacity, except in the undermentioned cases:
 - (a) where the transferee is a well known firm, corporate body or Bank; or the signature attached to the endorsement is the usual name or signature of such a firm or purports to be the impression of the common seal of a corporate body with perpetual succession or is the signature of the Secretary, Deputy Secretary, Manager or Agent, of a Bank or corporate body;
 - (b) where an endorsement is made in his official capacity by the person holding for the time being one of the offices to which the Governor General in Council has, by notification in the *Gazette of India*, declared section 7, sub-section (1), of the Indian Securities Act (XIII of 1886) to apply;
 - (c) where the transfer is made to or by a person in whose favour a certificate under the Succession Certificate Act (VII of 1889) or probate or letters of administration under the Indian Succession Act (X of 1865), or the Probate and Administration Act (V of 1881) has or have been granted by a Court of competent jurisdiction;
 - (d) where the transfer is made to or by the executor or administrator of an estate who is described as such there-

¹ Rule 7 was substituted by Resolution No. 3558-A., dated 19th August, 1896, see *Gazette of India*, 1896, Pt. I, p. 628.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

in, such executor or administrator being shown to be the holder according to the tenor of the note and previous endorsements;

- (5) If the endorsement is not clear and distinct, or if it is made on paper affixed to a Government Promissory Note.
- (6) If, in the opinion of the officer before whom the note is presented for payment of interest, the title of the person so presenting the note is irregular or not fully proved.
- (7) If the note in question being a counterpart note issued under the provisions of Rule 8, has ceased to be the property of a minor or to belong to an estate in which administration is limited to interest.

In all or any of the preceding cases payment of any further interest on such note may be refused until the note is receipted for renewal and actually renewed.

8. In the case of any note which is the property of a minor or belongs to an estate in which administration is limited to interest, the Public Debt Office at Calcutta may, upon such note being deposited with them, issue to the holder of such note a counterpart thereof having the words "counterpart note negotiable" stamped across the face thereof, and further payments of interest may be recorded upon such counterpart. Whenever such note shall cease to be the property of a minor, or shall cease to belong to an estate in which administration is limited to interest, the further payment of interest in respect of the note may be refused, until the first or any subsequent counterpart, as the case may be, issued in respect of it has been receipted and renewed in the manner provided in the last preceding rule. Upon such counterpart being receipted and renewed as aforesaid, the same, together with the original note and any preceding counterpart issued in respect thereof, will be cancelled.

9. No payment of interest and no record or acknowledgment of the payment of interest and no issue of a counterpart note under the preceding rules is to be deemed or taken to be an acknowledgment of the title of the holder of any note.

10. The following fees are payable in respect of applications under sections 11 and 12 of [the Indian Securities Act (XIII of 1886).]

For each renewed or duplicate security 4 annas per cent., if the new note does not exceed Rs. 400, and Re. 1 if the new note exceed that sum.

¹ Substituted by Resolution No. 3558-A., dated the 19th August, 1886, see Gazette of India, 1886, Pt. I, p. 623.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

11. ¹A note tendered for renewal must be receipted on the reverse as follows: Received, in lieu hereof, a renewed note payable to (*name of holder*) with interest payable at

Holder.

Signature of the _____
Duly authorised representative
of (name of holder).

12. ¹If a person tendering a note for renewal applies for more than one note in lieu of the note tendered, the latter must be receipted on the reverse as follows, or in a form as near thereto as circumstances will admit:—

Received in lieu hereof, two (*or more*) notes for Rupees _____
 _____ respectively, payable to (*name of holder*), with interest payable at _____

Holder.

Signature of the _____
Duly authorised representative
of (name of holder).

13. ¹If a person tendering more than one note for renewal applies for one consolidated note in lieu of the notes tendered, the latter must be receipted as follows, or in a form as near thereto as circumstances will admit:—

Received in lieu hereof, a new note payable to (*name of holder*) for Rs. _____, by consolidation with Promissory Note or Notes Nos. _____ (*mentioning the numbers and amounts of the other notes desired to be consolidated with it*) with interest payable at _____

Holder.

Signature of the _____
Duly authorised representative
of (name of holder).

14. ¹The form of receipt mentioned in the foregoing rules must be very clearly and correctly written, and there must be no ambiguity as to the name of the payee of the new note. The name of the holder, assigned by him or as entered by the duly authorised representative below his own signature, should agree letter for letter with the name in the body of the note or in the transferring endorsement as the case

¹ Substituted by Notification No. 6233-A., dated 3rd October, 1904, see Gazette of India, 1904, Pt. I, p. 748.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

may be. Where the holder himself signs the receipt, he may add his usual signature below.

15. The holder of any note requiring renewal may procure a renewed note in lieu of his original security in any of the following ways; that is to say, he may present it duly receipted either in person or through a representative at—(1) Public Debt Office, Bank of Bengal, Calcutta; or (2) at a Government Treasury for transmission to that office; or (3), at the Banks of Madras and Bombay who as agents of the said Bank of Bengal may either renew such notes on their own responsibility or may forward them to the said Public Debt Office, Bank of Bengal, for renewal. In the case of notes presented direct to the said Public Debt Office, Bank of Bengal, or transmitted to it for renewal either through a Government Treasury or the Bank of Madras or of Bombay, the prescribed officer referred to in section 11 of ¹[the Indian Securities Act (XIII of 1886)] shall be the Secretary, Bank of Bengal, for the time being: and in the case of notes presented for renewal at the Bank of Madras or of Bombay and renewed by those Banks on their own responsibility such officer shall be the Secretary of the Bank of Madras or of the Bank of Bombay for the time being as the case may be.

16. The officer referred to in section 12, sub-section (1) of ¹[the Indian Securities Act (XIII of 1886)] shall be the Comptroller-General for the time being.

17. The loss or destruction of a Promissory Note shall be notified in the first instance by letter addressed to the Bank of Bengal, Public Debt Office, Calcutta; such letter shall contain the following particulars:—

(1) Particulars of the note according to the following form:—

Promissory Note for Rs. , No. , of the
per cent loan of

(2) Last half-year for which interest has been paid.

(3) To whom paid.

(4) Name of the person in whose name the note was issued (if known).

(5) Particulars of coupons attached (if any).

(6) Where enfaced at present.

(7) The circumstances attending the loss.

(8) Whether the loss was reported to the Police.

¹ Substituted by Resolution No. 3558-A., dated the 19th August, 1896, see Gazette of India, 1896, Pt. I, p. 623.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

The above letter shall be accompanied by—

- (a) The Post Office Registry receipt for the letter containing the note, if the same was lost in transmission by post.
- (b) The Police report, if any can be obtained.
- (c) A letter signed by the Officers of the Treasury or Presidency Bank where interest was last paid, certifying the last payment of interest made on the note, and to whom, if interest was paid out of Calcutta.
- (d) If the applicant is not the last registered holder, all documentary evidence necessary to trace back the title to the last registered holder.
- (e) Any portions or fragment which may remain of the lost or destroyed note.

A duplicate of the letter to the Public Debt Office, Calcutta, must also be sent to the Treasury where interest is payable.

18. The loss or destruction of a Promissory Note shall be further notified by an advertisement, which the applicant for a duplicate note shall cause to be inserted in three successive issues of the *Gazette of India* and of the Local Government Gazette of the place where the loss or destruction occurred. Such Notification shall be in the form following, or as near thereto as the circumstances will admit:—

Lost or destroyed (as the case may be).

The Government Promissory Note No. _____, of the _____ per cent loan of _____, for Rs. _____, originally standing in the name of _____, and last endorsed to _____, the proprietor by whom it was never endorsed to any other person, having been lost or destroyed, notice is hereby given that payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, Calcutta, and that application is about to be made for the issue of a duplicate in favour of the proprietor. The Public are cautioned against purchasing or otherwise dealing with the above-mentioned security.

Name of the Advertiser—

Residence—

19. At the expiration of six months from the date of the insertion of the last advertisement, the Comptroller-General shall, if satisfied of the loss or destruction of a portion of a note, and of the justice of the claim of the applicant, and if a sufficient portion for the identification

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*contd.*

of the note so lost or destroyed shall have been produced, direct the Public Debt Office, upon the execution of such bond of indemnity as is hereinafter mentioned, to issue to the applicant a duplicate note in lieu of that so lost or destroyed as aforesaid. If, however, no portion or no sufficient portion of the note so lost or destroyed shall have been produced as aforesaid, then, at the expiration of two years from the date of the insertion of such last advertisement, the Comptroller General shall, if satisfied as aforesaid, pass an order directing the Public Debt Office, upon the execution of such bond of indemnity as is hereinafter mentioned, to pay the applicant interest in respect of the note so lost or destroyed pending the issue of a duplicate note, and also directing the said Public Debt Office, at the expiration of six years from the date of the publication of the list in which the lost or destroyed security is first mentioned, if no reason to the contrary appear, to issue to the applicant (on his executing and procuring the execution by two sureties of such indemnity bond as is hereinafter mentioned should the same be deemed necessary by the Comptroller-General) a duplicate note in lieu of that so lost or destroyed as aforesaid.

20. The Comptroller-General may, within six years of the date of an order passed by him under Rule 19, if he finds sufficient reason, alter or cancel such order, and may also require that the interval before the issue of a duplicate note be extended to twelve years, or such shorter period not being less than six years, as he may think fit.

21. Indemnity bonds when taken on the issue of a duplicate note or notes shall be for twice the amount of such note or notes, and when taken on the issue of orders for payment of interest shall be for twice the amount of the interest involved, that is to say, twice the aggregate amount of all back interest accrued due on the note, plus twice the amount of all interest to accrue due thereon during the six years which will have to elapse before the issue of a duplicate note can be made. In simple cases such bonds may be issued by the Comptroller-General at Calcutta in a printed form prescribed by Government. No fee will be chargeable if a bond does not exceed in amount Rs. 500; but on bonds for higher amounts a fee of Rs. 5 for every Rs. 1,000, or part of Rs. 1,000 will be charged, provided that no fee for any one bond so issued shall exceed in amount Rs. 30. If, however, the Comptroller-General consider that the circumstances of the case demand that a bond shall be specially prepared by the Government Solicitor, a fee of Rs. 32 shall be payable to that officer.

22. The list of securities lost or destroyed referred to in section 12 (3) of [the Indian Securities Act, XIII of 1886] in respect of which

¹ Substituted by Resolution No. 3558-A., dated the 19th August, 1896, see Gazette of India, 1896, Pt. I, p. 628.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).

Rules under section 14 of the Act—*concl'd.*

an order is made for payment of interest pending the issue of a duplicate security, or for the issue of such duplicate security, shall be advertised half-yearly in the *Gazette of India* in the months of January and July or as soon afterwards as may be convenient. All securities in respect of which an order has been passed as aforesaid shall be included in the first list published next after the passing of such order and shall continue to be advertised every half-year until the expiration of six years from the date of first publication, or from the date of the last payment of interest on the original securities, whichever is the later date. Such list shall contain the following particulars, *viz.*, the name of the loan and number of the last note, its value, in whose name it was issued, from what date it bears interest, the name of the claimant for a duplicate, the number and date of the order passed by the Comptroller General for payment of interest, or issue of a duplicate, and the date of publication of the list in which such security was first mentioned.

[See *Gazette of India*, 1888, Pt. I, p. 6.]

Rules as to securities deposited with Government for completion of contracts.

Resolution.—No. 1012, dated 28th February, 1890.—The object of the proposal now made is to provide that, in the case of Government securities received by Warrant Officers in charge of dépôts the securities shall not be endorsed to such officers but to the nearest Ordnance Officer.

2. It is understood that the difficulty occasioned by the existing rules arises almost entirely in connection with deposits made for short periods by contractors as a guarantee for fulfilment of their contracts. The simplest way to overcome the difficulty appears to be to rule that such deposits as also other deposits of Government securities which are not expected to remain in custody for more than a year, may remain in the name of the person making the deposit and not be endorsed to any officer of Government. The deposits will then be received on the condition to be stated in the tender or otherwise, that Government will be authorised to appropriate and cancel the notes if the contracts are not fulfilled. If by mistake notes sent by depositors to an officer of Government are endorsed to him, they should be returned, when the proper time comes with that endorsement cancelled, instead of being re-endorsed. In this case interest should not be drawn by the officer, but if the notes remain in the name of the depositor there would be no objection to his drawing interest on them on producing at the treasury in which they are lodged for safe custody a receipt countersigned by

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN SECURITIES ACT, 1886 (XIII OF 1886).**

Rules as to securities deposited with Government for completion of contracts—*canclld.*

the Government officer who lodged them provided, of course, that the notes are enfaced for payment of interest at that treasury.

3. His Excellency the Governor General in Council accordingly directs that in future the procedure in such cases shall be as follows:--

- (1) When the notes are deposited for a period of twelve months or less, they shall remain in the name of the depositor and *shall not be endorsed by him to any officer of Government.*
- (2) The Government officer receiving the deposit will see that the notes stand in the name of the depositor, and that the contract or other document executed by the depositor conveys authority to Government to appropriate or cancel the notes if the contract is not fulfilled.
- (3) After satisfying himself on these points, the Government officer receiving the deposit will lodge the note or notes for safe custody in the nearest civil treasury except in the Presidency-towns of Calcutta, Madras and Bombay, where the notes will be lodged with the Comptroller-General and with the Accountants-General, Madras and Bombay, respectively. The Comptroller-General will issue subsidiary rules regulating the procedure at the treasuries.
- (4) The depositor may draw interest on these notes by tendering receipts in the usual form countersigned by the officer with whom he deposited them.
- (5) When the notes are deposited for more than twelve months, they should be endorsed to the Comptroller-General (or Accountant-General, Madras and Bombay, as the case may be) and sent as at present through the Controller of Military Accounts, the practice now followed of sending to the Presidency Bank notes deposited for more than six and less than twelve months being discontinued.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Date of operation of Act.

No. 2814, dated the 26th May, 1887.—Whereas it is provided by section 3 of Act No. X of 1887 (an Act to consolidate and amend the law relating to Native Passenger Ships) that the said Act shall come into force on such day as the Governor General in Council by Notification in the Gazette of India appoints; it is hereby notified that the Governor General in Council appoints the 1st day of June, 1887, as the day on which the said Act shall come into force.

[See Gazette of India, 1887, Pt. I, p. 250.]

Officers to whom deaths and causes of death of passengers should be notified.

No. 1353, dated the 14th March, 1889.—In exercise of the powers conferred by section 20 of the Native Passenger Ships Act, X of 1887, and in supersession of the Notifications hereunder mentioned,—

Department of Revenue, Agriculture, and Commerce,—

- No. 392, dated 5th October, 1887,
- „ 394, dated 5th October, 1877,
- „ 396, dated 5th October, 1877,
- „ 493, dated 12th December, 1877,
- „ 447, dated 20th August, 1878;

the Governor General in Council is pleased to appoint the following officers to whom masters of Ships should notify, as required by that section, the date and supposed cause of death of every passenger dying on a voyage:—

In the Madras Presidency.

Names of Ports.	Officers appointed.
Ganjam	The Conservator of the Port.
Calingapatam	Ditto.
Cuddalore	Ditto.
Porto Novo	Ditto.
Tranquebar	Ditto.
Tellicherry	Ditto.
Cannanore	Ditto.
Mangalore	Ditto.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Officers to whom deaths and causes of death of passengers should be notified—contd

In the Madras Presidency—contd.

Names of Ports.	Officers appointed.
Gopalpore	The Port Officer.
Bimlipatam	Ditto
Vizagapatam	Ditto.
Coconada	Ditto.
Masulipatam	Ditto.
Negapatam	Ditto.
Paumben	Ditto
Tuticorin	Ditto.
Cochin	Ditto.
Calicut	Ditto.
Madras	[Deputy Conservator of the Port.]
Nursapur	The Superintendent of Sea Customs.
Muttipetta	Ditto.
Topethorai	The Assistant Superintendent of Sea Customs.
Adirampatnam	Ditto
Kilakarai	Ditto.
Tondi	Ditto
Devipatam	Ditto
Koilnapatam	Ditto
Kulushelcharpur	Ditto
Ponani	Ditto.
Barwa	Ditto.

In the Bombay Presidency.

Bombay	The Superintendent of the Preventive Service for the time being.
Karachi	The Port Officer for the time being.
Aden	Ditto.
Ports under the control of the Collector of Salt Revenue.	The Officer in Charge of the Custom Houses.

In Bengal.

Calcutta	The Port Officer.
False Point and Pooree	Ditto.
Balasoro and Chandbally	Ditto.
Chittagong	Ditto.

¹ Substituted by Notification No 2460, dated the 16th May, 1889, see Gazette of India, 1889, Pt I, p 237.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*concl'd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Officers to whom deaths and causes of death of passengers should be notified—*concl'd.*

In Burma.

Rangoon	.	.	.	.	.	.	.	The Port Officer.
Moulmein	.	.	.	.	.	.	.	Ditto.
Akyab	.	.	.	.	.	.	.	Ditto.
Bassein	.	.	.	.	.	.	.	Ditto.
Mergui	.	.	.	.	.	.	.	The Senior Civil Officer
Tavoy	.	.	.	.	.	.	.	Ditto.
Kyaukpheyyo	.	.	.	.	.	.	.	Ditto.
Sandoway	.	.	.	.	.	.	.	Ditto.

[See Gazette of India, 1889, Pt. I, p. 153.]

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports.

No. 986, dated the 15th February, 1884.—In exercise of the powers conferred by section 46 of the Native Passenger Ships Act, 1876, as amended by the Native Passenger Ships Act, 1883,¹ His Honour the President in Council is pleased to make the following rules for ships to which these Acts apply, sailing between ports in British India and ports in the Red Sea. These rules are issued in supersession of all previous rules on the subject affecting this class of ships:—

A.—Rules regarding Provisions, Fuel and Water.

1. *Scale of Provisions, Fuel and Water.*—Each ship shall be supplied with provisions, stores, etc., of fair quality, in accordance with the following scale, and in quantity sufficient for the full number of days the voyage is reckoned to occupy:—

Daily allowance to each passenger above the age of 12 years.

(Children above one year and under 12 years shall receive half rations):—

Rice	.	.	.	.	.	.	.	1 lb.
Flour or ship's biscuit	.	.	.	.	.	.	.	4 oz.
Pulse (dall)	.	.	.	.	.	.	.	4 „
Ghee or oil	.	.	.	.	.	.	.	1 „
Onions	.	.	.	.	.	.	.	2 „
Pumpkins, yams or other vegetables	.	.	.	.	.	.	.	2 „

¹ See now Act 10 of 1887, section 4, by which this Notification is kept in force.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

Tamarind	1 oz.
Condiments, chillies, garlic, coriander seed and turmeric	$\frac{1}{2}$ "
Salt	$\frac{1}{2}$ "
Firewood, dry	2 lb
* Water, the best available in clean iron tanks .	1 imperial gallon

* NOTE.—A reduction is permitted of $\frac{1}{4}$ ths of the total quantity of water to be carried when the condenser is fully capable of making up the deficiency.

2. Excepting fuel and water which shall always be found by the ship the rest of the articles in the above scale need not be shipped for those passengers who can show that they have made their own arrangements for a full supply of such provisions for the voyage.

3. *Fresh water Condensers.*—Each ship shall be fitted with a condenser or distilling apparatus of sufficient capacity to meet the requirements of both crew and passengers.

4. All condensers shall have a separate engine for working the circulating cold water pump, and under no circumstances is this engine to be used for any other work than feeding the steam-boiler.

5. All condensers shall be fitted with filters.

6. The arrangement for discharging the circulating water from the condenser shall be such that it can be delivered into buckets or connected with a hose for the purpose of washing decks, or extinguishing fire, as well as discharging over the ship's side. A suitable hose and connection shall also be provided.

7. Boilers for condensers should be of an upright construction, but horizontal boilers may for special reasons be passed by the officer authorised to inspect the ship under section 8 of the Act, if otherwise satisfactory.

8. Each boiler shall be furnished with a steam-gauge indexed to double the working pressure, a glass water-gauge and two separate gauge cocks, one safety valve, and two mud-hole doors for the purpose of cleaning.

9. The boilers and all machinery of the condensers must be properly covered in, and any wooden bulk-head in the vicinity of the boilers must be covered with sheet lead $4\frac{1}{2}$ lbs. to the square foot and securely fastened thereto.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

10. All the piping in connection with the condenser, especially the main suction and the condensed water discharge pipe, shall be laid in positions secure from accident or otherwise securely encased.

11. The inspecting officer shall satisfy himself by actual experiment that the condenser is capable of performing the work required of it.

12. A competent person, to be approved by the inspecting officer, shall be appointed to have charge of the apparatus, etc., during the voyage.

13. No certificate under section 11 of the Act will be granted unless the condenser can yield 500 gallons of distilled water in 24 hours, and unless the whole arrangements, as detailed in Rules 5 to 12 above, are to the entire satisfaction of the inspecting officer.

B.—Rules regarding medical stores and other appliances and fittings for maintaining health, cleanliness, and decency on board.

14. (a) *Medical Stores and Appliances.*—Medical comforts (to be issued at the discretion of the medical officer in charge) shall be supplied on the following scale:—

For 100 passengers:

(Proportionate quantities to be supplied for passengers in excess of 100.)

Sago	.	.	.	.	.	.	.	5 lbs.
Arrowroot	.	.	.	.	.	.	.	10 „
Preserved milk*	.	.	.	.	.	.	.	2 dozen one pound tins.
¹ [Ext. carnis	.	.	.	.	.	.	.	2 lbs.
Sugar	.	.	.	.	.	.	.	10 „
Rum	.	.	.	.	.	.	.	6 quart bottles.]

* NOTE.—The contents of a pound tin of preserved milk mixed with half a gallon of water make good milk.

¹ Added by Notification No. 1102, dated the 29th May, 1885, see Gazette of India, 1885, Pt. I, p. 319.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

15. Medicines and medical appliances shall be supplied in accordance with the following scale:—

(Weights and measures of the British Pharmacopœia.)

Names of medicines, etc.	SCALE FOR 100 PASSENGERS.		Notes.
	Weights.	Measures.	
	o. oz gr.	lb oz dr	
Acid carbolic, cryst.	0 3 0	.	Of miscellaneous articles for one hundred passengers —
„ nitro-muriatic, dil. . . . .	..	0 1 0	
„ sulphuric, dil. . . . .	.	0 1 0	
„ tartaric	0 2 0	..	
Alum polv.	0 3 0	..	Flannel, two yards.
Ammonia carb.	0 2 0	..	Lint, two ounces.
„ liqr. . . . .	..	0 2 0	Bandages, made up, half a dozen.
Antimonial powders	0 0 25	..	Papers for powder, etc., one quire
Argent-nitras	0 0 25	..	Bed-pan (metal) two in number.
Arsenicalis liqr. . . . .	..	0 ½ 0	Syringe (urethra), male, one in number.
Assafœtida	0 ½ 0	..	Syringe (glass), female.
Borax	0 ½ 0	..	NOTE.—The preparations of ammonia, ether, chloroform, iodine and all acids should be in well stoppered bottles.
Calomel	0 ½ 0	..	
Chlorodyne, Collis Brown's . . . . .	..	0 2 0	Chloroform should be in blue glass or covered from light by dark paper.
Chloroform . . . . .	..	0 ½ 0	All the drugs, etc., must be properly labelled with the quantities marked on each.
Copaiba . . . . .	..	0 1 0	“Robbers” should be specially distinguished.
Creta præparata	0 ½ 0	..	
Cupri sulphas	0 ½ 0	..	
Ferri sulphas	0 1 0	..	
Iodine tinct. . . . .	..	0 ½ 0	
Iodide potass.	0 ½ 0	..	
Ipecac. pulv.	0 2 0	..	<i>Of Disinfectants.</i>
„ pulv c. opio	0 1 0	..	
„ vinum . . . . .	..	½ 0 0	Calvert's MacDougal's powder 100 lbs.
Jalapoe pulv. co.	0 1 0	..	
Kino tinct. . . . .	..	0 2 0	Common carbolic acid 20 gals.
Lint fatias	2 0 0	..	

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

(Weights and measures of the British Pharmacopœia.)

Names of medicines, etc.	SCALE FOR 100 PASSENGERS.		Notes.			
	Weights.	Measures.				
	o. oz. gr.	lbs. oz. dr.				
Magnesia carb.	0 1 0	..	Table showing the quantities of medicines, etc., to be supplied according to the above scale for more than 100 passengers.			
„ sulphas	0 1 0	..				
Ol. menth. pip. . . . .	..	0 0 1			
Ol. terebinthinæ . . . . .	..	0 4 0			
Ol. Ichl. . . . .	..	2 0 0			
Opium pulv.	0 1 0	..	Number of passengers.	Quantity.	the quantity prescribed according to scale per 100 passengers and so on.	
„ Iulm. ment. . . . .	..	0 4 0			
„ tinct. . . . .	..	0 2 0	Above 100 to 250	½ more than	
Plumbi acetas	0 ½ 0	..	„ 250 to 350	Twice		
Potassæ liquor . . . . .	..	0 ½ 0	„ 350 to 450	Thrice	
„ nitras	0 1 0	..	„ 450 to 550	Four times		
Quinine	0 2 0	..	„ 550 to 650	Five times		
Rhei pulvis	0 ½ 0	..				
Purgative pills	Fifty in	number.	Of Instruments for each Ship.			
Snapiis pulv.	½ 0 0	..	Glass measures, 1 oz.	1		
Sodæ carbonas	0 1 0	..	„ „ drop	1		
Spiritus ætheris nitrosi . . . . .	..	0 8 0	Pestle and mortar (Wedgewood)	1	
Sulphur ungt.	½ 0 0	..	Scales and weights (grains)	1		
Simple ointment	½ 0 0	..	Splints (common)	1 set		
Vinegar . . . . .	..	1 0 0	Lancts (bleeding)	1	
Zinci oxid.	0 ½ 0	..	Silver catheters (middle size).	1		
„ sulphas	0 ½ 0	..	Spatula	1		
Zingiberis pulv.	3 1 0	..	Scissors (dressing)	1		
			Penknife	1		
			Enema	1		
			Infusion pot	1		

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

16. The following certificates showing that medicines, etc., have been duly supplied and received according to the above scale shall be produced before the officer authorised to inspect under section 8 of the Act at the time of his inspection:—

(1) Certified that we have supplied medicines, etc., for statute adults according to the above scale for the pilgrim ship proceeding to—

Dated

Druggists.

(2) Certified that I have carefully compared the above list with the medicines, etc., examined by me on board the ship and that I am satisfied they are all correct.

Dated

Medical Officer.

Ship

17. (b) *Hospital Accommodation.*—Every ship carrying more than 100 passengers shall provide hospital accommodation for the passengers as follows:—

(a) To provide for the treatment of cases other than those referred to in clause (b) there shall be a permanent hospital set apart on the upper deck. The hospital may be fitted up either in the poop or deck house. It shall contain not more than six bunks and shall have a superficial deck area of at least 144 feet and not less than 864 cubic feet of air space. It shall be lighted and ventilated to the satisfaction of the surveying officers, and shall be provided with a raised floor or platform at least four inches off the decks. Every permanent hospital must be made as secure as any other deck house, and the roof must be well caulked and covered with painted canvas. In all such permanent hospitals iron fittings are preferable to wood. No case of small-pox, cholera, yellow fever or plague shall on any account be treated in the permanent hospital.

(b) To provide for the treatment of such cases of sickness as it may be considered desirable specially to separate (such as small-pox, cholera, yellow fever or plague) and for any general outbreak of sickness when the permanent hospital accommodation becomes insufficient, each ship shall carry materials for the construction of a temporary hospital upon its upper deck. The part of the upper deck upon which such hospital shall be erected shall be pointed out and measured off by the surveying officers. The framework of

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

the hospital may be either of iron (in pieces that can be easily fitted together) or of wooden spars or bamboos. The roof must be tented, and both that and the side walls must be made of stout canvas and be perfectly water-tight, due provision being at the same time made for ventilation. The superficial area of the floor shall be not less than 144 feet, and such floor shall be raised at least 4 inches from the deck. Sheet iron is preferable as the material of the floor.

18. (c) *Culinary and other appliances and fittings.*—The following articles and appliances shall be supplied on the scale shown:—

Iron boilers with covers—						
For rice (large)	.	.	.	.	} According to number to be fed by the ship.
For dall or curry (small)	.	.	.	.
Iron ladles—						
For rice (large)	.	.	.	.	} According to number to be fed by the ship.
For dall, etc. (small)	.	.	.	.
Iron spoons, tinned	4	} To each ship when passengers are to be fed.
Currystones, with mullers	.	.	.	.	4
Sieves for cleaning rice, etc.	.	.	.	.	6
Gallon measure	.	.	.	.	1
$\frac{1}{2}$ Gallon measure	.	.	.	.	1
$\frac{1}{4}$ Gallon measure	.	.	.	.	1
Scales and weights	}	.	.	.	1	
or		.	.	.		
A spring balance	.					
Block-tin saucepans, for hospital use exclusively, from 1 pint to 1 gallon.	3	
Hatchets for cutting wood	2	
Knives	2	

		Besides			
Safety lanterns with lock and key, to each.	{	3 for hatchways	.	}	There shall be one additional lantern for every 100 pas- sengers on board, and each such lantern shall burn for three hours every night.
		2 for latrines	.		
		1 for hospital and	.		
		1 for surgeon, which are to burn all night.			

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—contd

18. (c) Culinary and other appliances, etc.—contd.

Oil with wicks, or candles to fit lantern.	{	Sufficient for 7 lanterns to burn at least 10 hours and for the rest to burn at least 3 hours of every night of the voyage.
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(Washing and cleanliness.)

Soap	1 lb per passenger.	
Buckets (galvanised iron)	2 for every 100 passengers.	
Tubs (large) for bathing or washing	4	} To each ship.
*Tubs (smaller) for latrine use	4	
*Tin pots for latrine use	12	
Canvas bathing screens for the use of women	2	
A dirt-shoot, moveable	1	
Deck scrapers	12	
Sand	1 ton	
Holystones or hard bricks	50	
Swabs or squeezers	18	
Brooms (country)	50	

19. (d) *Ventilation*.—The inspecting officer shall see that the ventilation of the lower hold and of the between-decks is separately provided for; that all air holes affording a means of communication between the hold and the between-decks are closed so as to shut off, as completely as possible, the escape of foul air from the hold, or steam from the cargo, into the between-decks; that all ventilating shafts and tubes for the hold are so arranged as to act quite independently of those for the between-decks; and that a sufficient number of efficient ventilators are provided for the between-decks to afford an equal diffusion of fresh air through all parts, and so situated as to act in all weathers.

20. In the absence of hollow iron masts and other means of ventilating the hold, there shall be fitted at least four cowl-headed tubes leading from the lower hold to the open air on the upper deck.

21. No passenger ship shall clear out or proceed to sea without such provision for affording light and air to the passenger decks as the circumstances of the case may in the judgment of the Inspecting Officer at the port of clearance require; nor if there are as many as one hundred passengers on board, without having an adequate and proper ventilating

* All these should be specially marked for privy use.

¹ Substituted by Notification No. 2315, dated the 26th December, 1884, see Gazette of India, 1884, Pt. I, p. 483.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd.*

apparatus to be approved by such Inspecting Officer and fitted to his satisfaction; the passengers shall moreover have the free and unimpeded use of the whole of each hatchway situated over the space appropriated to their use and over each such hatchway there shall be erected such a booby-hatch or other substantial covering as shall, in the opinion of such Inspecting Officer, afford the greatest amount of light and air, and of protection from wet as the case will admit.

22. Every cowl-headed tube shall be provided with a strong plug for use, if necessary, in bad weather.

23. Every ship having an iron upper deck shall have a wooden deck laid over it.

24. Each hatchway shall be provided with a large tarpaulin tent that can be spread well over it, securely fastened, so as to keep out rain and let in fresh air, and be rolled up out of the way in fine weather; and shall also be fitted with a strong iron or wooden A-shaped frame for the support of the tent.

25. Every ship shall have poop, quarter and main deck awnings complete and in good order, at least six life buoys, and four windsails.

26. (c) *Sanitary and miscellaneous regulations.*—Every ship shall be fitted with not less than two latrines sufficiently screened from public view and readily accessible, and with one additional such latrine for every hundred passengers, or part of that number, carried in excess of 100. The latrines shall be provided with not less than two seats for each 100 passengers. Each latrine shall be firmly secured in a convenient and accessible place on the upper deck, and close against the bulwarks, so that the soil-shoot of the latrine floor may lead directly out of a port or other opening and well clear of the ship's side. No latrines shall be allowed in the between-decks. Each latrine shall be divided into separate and private compartments. Each compartment *not more than 2 feet square* shall have a separate entrance with door, and shall be fitted with a seat, or a pair of footboards having a free opening or hole in the centre.

Each such opening shall communicate directly with the floor beneath, common to all the openings.

The floor continued into the shoot, and having a good fall towards it, shall be made either of a continuous sheet of metal, or of wood continuously lined with sheet lead or zinc.

The floors and shoots of the latrines shall be painted with coal tar, liberally laid on. There should be a troughed opening at each of the ends or sides of the latrines a little above the level of the floor, but below that of the seats or footboards, to enable the floors to be freely flushed

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE NATIVE PASSENGER SHIPS ACT, 1887 (X OF 1887).**

Rules under the Act as to provisions, etc., for ships sailing to Red Sea ports—*contd*

with water from the *outside*. Every compartment shall be well ventilated by means of openings, that do not interfere with privacy; and shall be sufficiently lighted at night by means of a lantern to each latrine that should be so fitted as to throw light into all the compartments of the latrine.

A portion of such compartments, in any case not less than one, if there be any females among the passengers, shall be set apart for the exclusive use of females, such proportion corresponding, as nearly as may be, to the proportion of female to male passengers.

27. Every ship shall be provided with not less than two places for washing sufficiently screened from public view, whereof a full proportion, as prescribed in the case of latrine compartment, shall be set apart exclusively for females. A sufficient number of hand-pumps shall also be provided for supplying sea water for purposes of ablution.

28. Every ship shall be provided with not less than two cabooses or cooking ranges on deck, properly housed and covered, to which passengers can have ready access. The ranges shall be made of substantial plate iron, lined inside with bricks and raised at least 4 inches from the deck, with an outlet or chimney at top for the escape of smoke.

Each range shall contain five or six cooking places, and an additional range shall be provided for every two hundred passengers carried in excess of one hundred. Cooking on board in the passengers' own stoves is prohibited.

Every ship shall provide coo-booze and boiler accommodation sufficient to cook for the total number of passengers to be fed by the ship; a corresponding reduction will then be admissible in the number of cabooses required under the rules for those who cook for themselves.

29. The crew of the ship shall not be allowed to use the cooking ranges or latrines set apart for passengers during the period passengers are on board, but shall be provided with a separate cooking range and latrine.

30. Strong ladders shall be provided for every hatchway used as such and not only as a ventilator, and as an additional means for women and children to hold on by, besides hand-rails, knotted hand ropes should be fastened conveniently near the ladders.

31. Hooks for hanging the required number of lanterns shall be fixed at convenient distances apart.

32. The space to be occupied by the passengers must be clear, thoroughly clean, and dry; and nothing must be slung up or stowed away between the beams.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV of 1887).

Definitions of "Gazetted Officer," "Petty Officer" and "Warrant Officer"—*concl'd.*

Kassab, second class.
Pilot.
Chart Room Attendant.
Leadsman, or
Interpreter.

[See Gazette of India, 1888, Pt. I, p. 512.]

Procedure of Indian Marine Courts.

No. 56, dated the 28th August, 1896.—In exercise of the powers conferred by sections 4, 68 and 70 of the Indian Marine Act (XIV of 1887), and in supersession of G. G. O. No. 50, dated the 28th October 1887, the Governor General in Council is pleased to make the following rules to regulate the procedure of Indian Marine Courts and certain other matters connected with the enforcement of the said Act, and to declare that they shall come into force with effect from the 1st October, 1896:

1. In these rules—

- (1) "the Act" means the Indian Marine Act, 1887;
- (2) "section" means a section of the Act;
- (3) "schedule" means a schedule to these rules; and
- (4) "the Royal Indian Marine" and "the Royal Indian Marine Service" mean "the Indian Marine" and "the Indian Marine Service" within the provisions of the Act.

2. The functions of a commanding officer under section 3 may by order of that office be discharged by the next senior gazetted officer present.

3. The rules of service to be read and explained under section 3, to a person on his enrolment, shall be in the form of Schedule I.

4. The oath to be administered under section 3, to a person on his enrolment, shall be in the form of Schedule II.

5. The roll to which that person after taking the oath of allegiance is to affix his signature or mark, shall be in the form of Schedule III.

6. The prescribed authorities for giving effect to certain provisions of the Act shall be the following, namely:

- (a) in respect of clause (3) of section 38, the Governor General in Council or the Director of the Royal Indian Marine;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

- (b) in respect of section 47, the Director or Deputy Director of the Royal Indian Marine;
- (c) in respect of section 50, the Deputy Director of the Royal Indian Marine;
- (d) in respect of clause (4) of section 72, the Director or Deputy Director of the Royal Indian Marine or such gazetted officer as may be nominated by the Governor General in Council or by the Director or Deputy Director of the Royal Indian Marine;
- (e) in respect of sub-section (2) of section 75, the Director or Deputy Director of the Royal Indian Marine, or the commanding officer of the accused;
- (f) in respect of clause (6) of section 82, the Deputy Director of the Royal Indian Marine or, where the value or amount of the property does not exceed one hundred rupees, the commanding officer of the deceased.

7. The prescribed custody mentioned in sub-section (1) and in sub-section (3), clause (b) of section 75, may be Royal Indian Marine, or naval, or military or civil; or may be partly Royal Indian Marine and partly naval, or military or civil.

8. The form mentioned in sub-section (2) of section 75 shall be that prescribed in Schedule IV.

9. (1) Every charge or complaint to be investigated by an Indian Marine Court shall be thus made—

- (a) By a letter addressed to the Director or Deputy Director of the Royal Indian Marine or the authority empowered to convene an Indian Marine Court, reporting fully and accurately in detail and in the order of their occurrence, the circumstances on which the charge or charges may be founded, and when words used constitute the substance of the offence, setting them forth as fully and exactly as possible. The letter shall not refer in any way to the previous character or conduct of the accused, nor contain any allusions to his prejudice; but shall be so circumstantial as to enable him to understand fully and plead to the offence charged.

- (b) By a further letter enclosing—

The charge or charges carefully drawn on a charge sheet, in which, so far as possible, the very words used in describ-

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

ing each offence charged in the section under which it falls should be adhered to. Any number of accused persons may be tried together for an offence alleged to have been committed by them collectively, unless it should be found that one or more of them is or are required to give evidence for the prosecution or defence, in which case separate charges must be framed and separate trials held except as provided for in section 57 of the Act.

- (c) A certified extract of all entries relating to the accused, of offences and punishments in the conduct book prior to the date of the offence charged, and a conduct sheet, with the accused's character assessed from the previous 31st of December to the date of the offence with which he may be charged but excluding all consideration of it. } When the accused is below the rank of subordinate officer.
- (d) A copy of the accused's certificate of service. }
- (e) List of witnesses for the prosecution.

(2) When a Judge Advocate has been appointed to the Court, the documents (a) and (b) will be forwarded to the President, with the warrant for holding the Court and documents (c) and (d), together with (e), to the Judge Advocate for production in conformity with Rule 44. In other cases documents (a), (b) and (e) will be forwarded to the President, and documents (c) and (d) will be retained by the officer to whom the complaint has been made for production when required under Rule 44.

- (3) Should the complainant desire to enter into further explanations as to his reasons for asking for a Court, which would necessarily refer to the previous conduct or antecedents of the accused, he should do so verbally, or by separate letter, but such communication, whether oral or written, shall not be communicated to the Court, it being contrary to the principles recognised by Courts of Justice for the prosecution to urge the previous conduct of the accused as an element in determining the question of guilt or innocence. Such conduct can be taken into consideration only when punishment is being awarded.

Previous character of accused.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

12. The convening authority shall, when practicable, appoint a Judge Advocate to every trial, who shall be, if possible, an officer of the Judge Advocate General's Department. Appointment of Judge Advocate.

13. (1) A copy of the charge-sheet, with the names of the witnesses for the prosecution endorsed thereon, and a copy of the letter referred to in Rule 9 (1) (a) shall, in all practicable cases, be given to the accused, at least twenty-four hours before trial by a gazetted officer, who shall read and explain the same or cause the same to be explained in his presence to him if he cannot read; and he shall be offered an opportunity of giving the names of any witnesses whom he may desire to call; and such witnesses, on their names being given, shall, where practicable, be duly summoned or ordered to attend; and if it appears to the Court on its assembly, or during the trial, that the prisoner is liable to be prejudiced by any non-compliance with the foregoing provisions, it shall adjourn, in order that such action may be taken as will remove all reasonable ground of complaint on the part of the accused. Copy of charge-sheet, etc., to be furnished to accused.

(2) Charges shall be framed, as nearly as circumstances admit, in the forms in Schedule VI.

(3) When the accused is warned for trial, he shall be furnished with a list of the names of the officers who are appointed to form the Court by which he is to be tried.

14. The accused shall be afforded proper opportunity for preparing his defence, and shall be allowed free communication with his witnesses not being persons about to be tried on the same charge. Opportunity for defence to be allowed.

15. (1) The accused may have a person to assist him during the trial, whether an officer, legal adviser, or any other person, and in the case of an accused below the rank of officer, should he not obtain the help of any one for that purpose, it shall be considered part of the ordinary duty of the gazetted officer to whom he is immediately subordinate to watch the case on his behalf, and assist him should he desire it. Accused may have a person to assist him on trial.

(2) In the event of such officer being a witness for the prosecution, or unavailable or ineligible for the duty for any other reason, the commander shall direct another officer to assist the accused.

(3) The accused, should he prefer it, may conduct his own case.

(4) A person assisting the accused may advise him on all points, may suggest the questions to be put to witnesses, and may read the accused's defence, or statement in mitigation of punishment, but shall not address the Court.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Evidence that the accused has a bad character is inadmissible unless evidence has been given to show that he has a good character, in which case it becomes admissible.

- (4) No portion of the letter referred to in sub-section (1), clause (a), shall be treated as evidence, except in the case of the accused pleading guilty.

- (5) It is undesirable that, in cases where the commander of a Royal Indian Marine ship may be required to sit as a member of a Court he should himself investigate a complaint which, on the face of it, may be likely to form the subject of a charge for trial before such Court. The investigation in such a case should be undertaken by another gazetted officer, who should sign and forward to the commander the documents referred to in clauses (a) and (b) of sub-section 1. These shall then be transmitted, with the other documents required, by the commander to the proper authority.

On stations where, on account of the small number of Royal Indian Marine ships available, there is difficulty in obtaining the officers necessary to form a Court, officers should be particularly careful in this matter, because an objection on the part of the accused to be tried, based on the fact that one of the members of the Court had already investigated his case and expressed an opinion upon it, would probably be allowed, and if no other officer of the necessary rank were available, the Court could not be held until another opportunity presented itself.

Responsibility of convening officer.

10. No officer shall convene a Court until he shall have satisfied himself that the charges are properly framed and carefully drawn up; nor shall an officer to whom charges have been sent under Rule 9 (1) (b) forward such charges with a view to a Court being held without previously subjecting them to the same careful scrutiny. Should time permit, the charges shall be accompanied by a summary of the evidence to be adduced in their support, so that the convening authority may be enabled to judge of the correctness or sufficiency of the charges, and also whether the evidence, if uncontradicted, would probably suffice to ensure a conviction.

11. The form for summoning a person under section 62 shall be that prescribed in Schedule V.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

12. The convening authority shall, when practicable, appoint a Judge Advocate to every trial, who shall be, if possible, an officer of the Judge Advocate General's Department. Appointment of Judge Advocate.

13. (1) A copy of the charge-sheet, with the names of the witnesses for the prosecution endorsed thereon, and a copy of the letter referred to in Rule 9 (1) (a) shall, in all practicable cases, be given to the accused, at least twenty-four hours before trial by a gazetted officer, who shall read and explain the same or cause the same to be explained in his presence to him if he cannot read; and he shall be offered an opportunity of giving the names of any witnesses whom he may desire to call; and such witnesses, on their names being given, shall, where practicable, be duly summoned or ordered to attend; and if it appears to the Court on its assembly, or during the trial, that the prisoner is liable to be prejudiced by any non-compliance with the foregoing provisions, it shall adjourn, in order that such action may be taken as will remove all reasonable ground of complaint on the part of the accused. Copy of charge-sheet, etc., to be furnished to accused.

(2) Charges shall be framed, as nearly as circumstances admit, in the forms in Schedule VI.

(3) When the accused is warned for trial, he shall be furnished with a list of the names of the officers who are appointed to form the Court by which he is to be tried.

14. The accused shall be afforded proper opportunity for preparing his defence, and shall be allowed free communication with his witnesses not being persons about to be tried on the same charge. Opportunity for defence to be allowed.

15. (1) The accused may have a person to assist him during the trial, whether an officer, legal adviser, or any other person, and in the case of an accused below the rank of officer, should he not obtain the help of any one for that purpose, it shall be considered part of the ordinary duty of the gazetted officer to whom he is immediately subordinate to watch the case on his behalf, and assist him should he desire it. Accused may have a person to assist him on trial.

(2) In the event of such officer being a witness for the prosecution, or unavailable or ineligible for the duty for any other reason, the commander shall direct another officer to assist the accused.

(3) The accused, should he prefer it, may conduct his own case.

(4) A person assisting the accused may advise him on all points, may suggest the questions to be put to witnesses, and may read the accused's defence, or statement in mitigation of punishment, but shall not address the Court.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Trial of two or more witnesses.

16. Where two or more accused persons are ordered to be tried together, and one of them desires to call another as a witness in his defence, they may be separately tried in any case where the convening authority is of opinion that such course is reasonable and proper.

Time for assembly of Court.

17. (1) A Court may sit at any hour, but not less than 24 hours' notice should be given to all concerned. The hour for assembly shall in the first instance be fixed in the convening order, and afterwards, in the case of an adjournment, the Court itself may fix the hour for re-assembly. In cases of mutiny the trial may be immediate.

Court not to sit on Sunday.

(2) Except in case of emergency, no Court shall sit on Sunday or Good Friday or any other public holiday.

Adjournments.

18. (1) A Court may adjourn from time to time; and the adjournments and re-assemblies shall be duly recorded in the proceedings.

(2) When the trial has once commenced, the Court should continue the trial from day to day as may be necessary, and should sit usually for six hours a day, unless it appears to the Court that an adjournment is necessary in the interests of justice.

(3) The convening authority may adjourn or prolong the adjournment of a Court in any case where he is of opinion that his duty requires him to intervene for such purpose.

Responsibility of President.

19. The President shall be responsible for the trial being conducted duly and in accordance with the Act and these Rules.

Prosecutor.

20. The Judge Advocate shall not act as prosecutor, and if, for any reason, the commander or the executive officer of the ship to which the accused belongs be not available for the duty, the convening authority shall name a competent officer, if available, to act as prosecutor. Should no such officer be available, the Court and Judge Advocate shall ask such questions as will bring the whole case before the Court in the fullest manner.

Accused's objection to members.

21. (1) As soon as the Court has been assembled, the accused shall be brought in, and the prosecutor admitted. The Judge Advocate, or, if there is none, the President, shall then read the warrant for assembling the Court, and the names of the officers composing it, and shall ask the accused if he objects to any of them. He cannot object to the Judge Advocate.

(2) Should more than one member be objected to the objection to each shall be disposed of separately, the objection to the lowest in rank being disposed of first; and on an objection to a member being made, all the other members present shall vote on the disposal of such objection, notwithstanding that objections have been made to any of them.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887):

Procedure of Indian Marine Courts—*contd.*

(3) On an objection being allowed, the member objected to shall at once retire, and his place shall be filled up before considering an objection against another member.

(4) Should the President be objected to, and the objection allowed, the Court shall adjourn until a new President has been appointed.

(5) Should any member be objected to on the ground of his being summoned to give evidence as a witness, and should it be found that the objection has been made in good faith, and that the member is to give evidence as to facts and not merely as to character, the objection shall be allowed, whether made by the accused or by the prosecution.

(6) Should it be found that the officer was summoned to give evidence without sufficient cause, and merely to disqualify him from sitting, the Court may disallow the objection should it think fit.

(7) A member, whether previously objected to or not, is not necessarily disqualified from being examined as a witness, should it be found in the course of the proceedings that he can give material evidence.

(8) A member who may have been absent while any part of the evidence has been taken, can take no further part in the trial, but the Court shall not be affected thereby except as provided by section 53, sub-section (7), of the Act. Presence throughout of all members of Court.

(9) After all objections to members have been disposed of, the accused may raise any other objection which he desires to make respecting the constitution of the Court, and every such objection shall then be decided by the Court, whose decision shall be final. Objections to constitution of Court.

22. Should the accused have no further objection to make to the constitution of the Court, the members and the Judge Advocate shall then take the oaths in the manner prescribed by the Act, after which the Judge Advocate, or, if there is none, the President, shall read the charge against the accused and the letter referred to in Rule 9 (1) (a). Procedure.

23. Before the Court proceeds to try the accused, the Judge Advocate shall administer to every member of the Court an oath in the form under section 56; and when there is no Judge Advocate, the oath shall be administered by the President to the other members and shall be administered to the President by any member already sworn. Oaths to be administered to members of Courts-Martial.

24. (1) The form of oath to be made under section 56, sub-section (1), by the members of a Court shall be as follows, namely: Oath by Court.

"I ^{swear} ^{solemnly affirm} that I will well and truly try the ^{prisoner} ^{prisoners} before the Court according to the evidence, and that I will duly administer justice according to the Indian Marine Act, 1887, without partiality, favour, or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

affection; and I further ^{swear}_{solemnly affirm} that I will not divulge the finding or sentence of the Court until it is duly confirmed; and I further ^{swear}_{solemnly affirm} that I will not disclose the opinion of any particular member of the Court. So help me God."

Oath by witness.

(2) The oath to be made by a witness under section 56, sub-section (2), shall be as follows, namely:

"The evidence which I shall give before this Court shall be the truth, the whole truth, and nothing but the truth. So help me God."

(3) In any case where a person makes affirmation in lieu of oath, the words "So help me God" shall be omitted.

(4) The forms prescribed in sub-sections (2) and (3) of this rule, and in sub-section (5) of Rule 26, shall be used in proceedings before a commanding officer exercising jurisdiction under section 43, as well as in proceedings before a Court.

Oath to be administered to Judge Advocate.

25. As soon as the said oath shall have been administered to the members of the Court, the President shall administer to the Judge Advocate the following oath:

"I do ^{swear}_{solemnly affirm} that I will not, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of this Court unless thereunto required in due course of law. So help me God." In any case where a person makes affirmation in lieu of oath, the words "So help me God" shall be omitted.

Shorthand writer and interpreter.

26. (1) At any time during the trial, should the Court think it desirable, an impartial person may be sworn to act as a shorthand writer.

(2) Should a shorthand writer be employed, the evidence given by each witness shall be read over to him by the shorthand writer, either from the shorthand notes or from a transcript of them, before the witness leaves the Court.

(3) The transcript of the shorthand writer's notes, made by him and certified by the Judge Advocate to be the shorthand writer's transcript, shall constitute the original proceedings of the Court.

(4) The form of oath to be made by a shorthand writer shall be as follows, namely:

Oaths for shorthand writer and interpreter.

I, A. B., do most solemnly swear (or solemnly affirm) that I will truly take down, to the best of my power, the evidence given before this Court, and such other matters as I may be required, and when required will deliver to the Court a true transcript of the same. So help me God.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

(5) The form of oath to be made by an interpreter shall be as follows, namely:

I, A. B., do most solemnly swear (or solemnly affirm) that I will, to the best of my ability, truly interpret and translate, as I shall be required to do, touching the matter before this Court. So help me God.

(6) In any case where a person makes affirmation in lieu of oath the words "So help me God" shall be omitted.

(7) Notwithstanding anything contained in these rules, an oath may be administered in such form and with such ceremonies as the person to be sworn may declare to be binding on his conscience. Swearing of person according to the form of his religion.

27. Before a person is sworn as shorthand writer or interpreter, the accused should be informed who it is that is proposed to be sworn and may object to such person as not being impartial; and the Court, if it thinks such objection reasonable, shall not permit such person to be sworn as shorthand writer or interpreter. Proceedings for "of writer and interpreter."

28. All evidence shall be recorded in the presence of the accused. Recording evidence.

29. All questions to witnesses by the Court shall be put to them by the President. Ex of witnesses

30. When any discussion arises between the members of the Court, the President shall cause the Court to be cleared. Discussion Court.

31. (1) For the purpose of enabling the accused to explain any circumstance appearing in the evidence, the Court may, through the President, put such questions to him as it considers proper, and may question him generally on the case at any time before the finding. of evidence by prior

(2) The accused shall not be bound to answer any question so put nor be punishable for answering falsely.

32. The complainant shall be a competent witness; but when there is any other witness for the prosecution, his evidence shall be taken first. He may be re-called, for examination or re-examination, by the Court, or for cross-examination by the accused, during any part of the proceedings, but not for the purpose of giving evidence on any new matter. Prosecution witness.

33. The Court or the Judge Advocate, with the consent of the Court, may at any period of the trial re-call a witness: and may also, before the opening of the case for the defence, call and examine any person not summoned as a witness, whose evidence the Court may deem necessary for the furtherance of the ends of justice; and further, after the close of the case for the defence, may call and examine any other person whose evidence the accused may show to the Court to be material in his behalf. Court may re-call certain witnesses.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Deposition of
evidence.

34. Should any material witness be in hospital, or otherwise unable from sickness to appear before the Court, his evidence may be taken on commission.

Proceedings
how to be
recorded and
by whom.

35. Should a shorthand writer be not engaged, the Judge Advocate, or, if there is none, the President, shall take down in writing and in a narrative form, in as nearly as possible the words used, the evidence of each witness; but in any case where the complainant, the accused, the Judge Advocate, or the Court considers it desirable, the question and answer shall be taken down *verbatim*.

The evidence shall then be read in the hearing of the witness in order that any mistakes may be corrected. No erasures shall be made in the record of the proceedings, and all corrections or interlineations shall be verified by the initials of the recording officer.

The proceedings of the Court shall be recorded as nearly as may be in the form of Schedule VII.

Duties of
Judge Advo-
cate.

36. (1) At all times after the Judge Advocate has been appointed, the prosecutor and the accused shall be entitled to his opinion on any question of law relating to the charge or trial, whether he be in or out of Court, subject, should he be in Court, to the permission of the Court.

(2) Whether consulted or not, it shall be his duty to inform the convening authority and the Court of any informality or defect in the charge or in the constitution of the Court.

(3) Any information, advice, or opinion given to the Court on any matter before it shall be entered in the proceedings, if the Judge Advocate or the Court so desire.

(4) On the Judge Advocate shall devolve the duty of taking care that the accused does not suffer any disadvantage in consequence of his position as such, or of his ignorance, or of his incapacity to examine or cross-examine witnesses, or from any other cause, and for that purpose, with the permission of the Court, he may call any witnesses and put any questions which may appear necessary or desirable.

(5) In fulfilling his duties the Judge Advocate must be careful to maintain an entirely impartial position.

Advising the
Court.

37. The regularity or legality of the proceedings, of the finding or of the sentence of a Court, may depend on the correct solution of questions having no direct connexion with technical law; it is therefore the duty of the Judge Advocate to advise the Court, to the utmost of his knowledge and ability, not only on questions of naval law and the procedure of Indian Marine Courts as they arise, but also on every question of doubt or difficulty with reference to common and statute law, to the law and rules of evidence, and to the rules and regulations of the service generally, whether his opinion be asked by the Court or not.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

38. (1) Each member of a Court shall give his vote on every question which has to be decided by it, and notwithstanding that he may have voted for an acquittal shall vote as to the sentence if the accused is convicted. Votes and opinion of Court.

(2) In voting upon any question the order of voting shall be according to rank and seniority, the junior member of lowest rank voting first and so on up to the President, who shall vote last. Votes shall be given orally and not in writing.

(3) No member shall be added to the Court after the arraignment, and no member who has been absent at any time after arraignment shall again sit as such.

39. When any question has been once decided, the decision shall be binding upon the whole Court; but the President may, before any decision has been recorded, should he think fit, require the members of the Court, commencing with the junior member, to give their votes *de novo*, the votes being taken orally as before. Reconsidering votes.

40. The production of the ship's books to prove that the prisoner was subject to the Act, at the time when the charge or charges may be laid, may be dispensed with when other sufficient evidence of the fact is forthcoming. Production of ship's books.

41. Should an Indian Marine Court be ordered to inquire into a charge having reference to the loss, grounding or hazarding of a ship, the following points, in addition to the customary investigation, are to be attended to when practicable: Charges of loss, grounding, etc., R. I. M. ships.

(a) The ship's log book and deck log book; the last table of compass deviations, the compass journal and the subsequent observed deviations of the compass at sea, the captain's night order book; the navigating officer's sight and work book; and the chart or charts and sailing directions by which the ship was navigated are to be produced. Special directions.

(b) The Court shall ascertain whether the proper chart and all hydrographical notices bearing on the case had been supplied, and if so, used; whether the position of the ship by the best means available had, if at sea, been fixed at the noon and at any later time previous to the occurrence; if not, when it was last ascertained so correctly that reliance should have been placed on it; and whether the courses steered by standard compass, and the distances run between the time when the position of the ship was last correctly ascertained and that of the occurrence, were noted in the deck log book.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—contd.

- (c) Whether requested or not to do so by the prosecution, the Court shall direct one or more navigating or other competent officers of ships present to work up the ship's reckoning from the log and the navigating officer's sight and work book, from the time when her position was last accurately ascertained (or from such a time and with such details as the Court may see fit) to the time of her taking, or being in danger of taking, the ground; the result is to be delivered to the Court, attested by the signature of such officer or officers, and to its accuracy he or they are to be sworn and to be subject to cross-examination. (The positions of the ship, so determined, are to be laid off on the chart by which she was navigated, and also the determined position when ashore or in danger, as noted in the log book. The rate and direction of the current and of the tidal stream and the time of tide should also, if possible, be ascertained, stated and equally verified on oath.)
- (d) These documents (*viz.*, the result and the chart), as well as an attested copy of the ship's log book, commencing from at least 48 hours before the ship took the ground or was in danger, if so long from a known anchorage, are to accompany the minutes.
- (e) The Court shall inquire whether the regulations with regard to the use of the deep sea and land leads were carefully observed.
- (f) If the land was seen and, no satisfactory cross bearings being obtained, its distance estimated, the Court should ascertain what steps were taken, while in sight, to check the estimated distance by the run of the ship.

Amendment
of charges.

42. If at any time in the course of a trial after the Court has been sworn, but before the accused's guilt or innocence has been determined, the Court is satisfied that there is a variance between the charge or charges and the evidence adduced, or to be adduced, in support thereof, and considers that such variance is not material to the merits of the case and that the accused cannot, by the amendment of the charge, be substantially prejudiced in his defence, it may direct the Judge Advocate to amend the charge or charges, adjourning, should it deem it necessary, for a reasonable time, to enable the accused to meet the charge or charges so amended. All such amendments shall be noted in the record of the proceedings and be verified on the original documents by the signature of the President.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV of 1887).

Procedure of Indian Marine Courts—*contd.*

43. When the evidence has been closed and the accused has been heard in his own defence, and the prosecutor in reply, the accused shall be removed, and the Court cleared. The Court shall then consider the matter in evidence before it, and the Judge Advocate, by the direction of the Court, shall draw up such questions as shall be agreed upon, whereon to form a determination in regard to the innocence or guilt of the accused. Finding of the Court.

44. The Court, after conviction and before awarding punishment and in addition to any oral evidence of general character that may have been adduced, shall call for and take into consideration the following documents: Evidence as to character.

(1) In the case of a gazetted, warrant or petty officer—

- (a) any entries or certified copies of entries against him in the list of officers who have been tried by Indian Marine Courts;
- (b) any entries against him in the log, or other official document, of the ship to which he may have belonged when the offence or offences for which he is being tried was or were committed; and
- (c) any certificates or other documentary evidence of character which the prisoner may produce.

(2) In the case of a person below the rank of petty officer—

- (a) the entries against him in the conduct book of the ship in which he may have been serving when the offence or offences for which he is being tried was or were committed;
- (b) his certificate of service; and
- (c) his conduct sheet, with a general statement as to his character since the date of the last entry therein up to, but not including, the date of the offence committed by him.

45. Due steps shall be taken to procure the attendance of the witnesses whom the prosecutor or the accused may desire to call, and whose attendance can reasonably be procured, but should it appear that any witness has been summoned without sufficient cause, the person requiring the attendance of such witness may be required to defray the cost (if any) of such attendance, at the discretion of the Governor General in Council. Subject to this provision, the payment of the reasonable expenses of witnesses not subject to the Act, who may have been summoned to give evidence at an Indian Marine Court shall be made by the Examiner of Marine Accounts. Procuring attendance witnesses.
Expenses of witnesses.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

46. The proceedings of a commanding officer exercising jurisdiction under section 43 shall be recorded by that officer in the form as nearly as may be of Schedule VIII.

47. The minor punishments referred to in section 77 may be awarded in accordance with the regulations in Schedule IX.

48. The Schedules shall be read and construed as part of these rules.

SCHEDULE I.

RULES OF SERVICE.

(See Rule 3.)

Every person who is enrolled for service in the Royal Indian Marine undertakes, by signing the roll after taking the oath of allegiance, to serve in any Royal Indian Marine vessel to which he may, from time to time, be appointed, or in any part of the Royal Indian Marine Service on land, in the capacity, rank, and rating entered with his consent in the roll, or in any other capacity, rank, and rating in which he may be thereafter ordered to serve by competent authority, for a period of

, or for such further period, not exceeding three months, as may be ordered by the Director of the Royal Indian Marine, or in case of his being employed afloat in operations against the enemy, until the cessation of such operations; provided that, in time of war, he may be detained in the service until the conclusion of the war, if not discharged sooner by competent authority.

**Part II.—General Rules and Orders made under General
Acts of the Governor General in Council—*contd.***

THE INDIAN MARINE ACT, 1887 (XIV of 1887).

Procedure of Indian Marine Courts—*contd.*

SCHEDULE II.

OATH OF ALLEGIANCE.

(See Rule 4.)

“ I ^{swear} ^{solemnly affirm} that I will be faithful, and bear true allegiance to Her Majesty the Queen-Empress of India, Her Heirs and Successors, and that I will, as in duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all enemies, and will observe and obey all orders of Her Majesty, Her Heirs and Successors, and of the officers set over me.”

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

SCHEDULE III.

The Roll.

(See Rule 5.)

ROLL OF R. I. M. S.

PARTICULARS OF ENGAGEMENT.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Registered number if referring for continuous service.	Ship's No.	Name of persons enrolled.	Rank of rating.	Term engaged for.	Date of entry in this roll.	Date of entry or enrolment in service.	Port or place of enrolment.	Date of birth or age on date of entry in service.	Description, etc., or marks, for identification.	Religious denomination or race or caste.	Country or place of residence.	Certificate of service or competency.	Vessel's name and official number or port to which she belonged.	Year.	Amount of wages advanced on entry.	Signature or mark of person to be enrolled.	Signature of Officer witnessing enrolment.	Signature of Officer commanding the vessel.

4. Record of term engaged for by non-continuous service men.
 b. For European's description—Colour of hair, eyes and complexion, general appearance and description.
 For Natives—Any prominent marks for identification.
 c. For Europeans—Religious denomination.
 For Natives—Race and caste or sect.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Ship.	No.	Rating.	DATE OF		CHARACTER.		Remarks, and cause of discharge.	Commander's signature.
			Entry.	Discharge.	Ability.	Conduct.*		

The corner of this certificate is only to be cut off when the character of the man has been so bad as to make it desirable to prevent his re-entering into the Royal Indian Marine. All such cases to be specially reported.

Man's signature on discharge to pension.

CONTINUOUS SERVICE ENGAGEMENTS.			REMARKS.
Date of joining.	Commencement of time.	Period.	

WOUNDS RECEIVED IN ACTION AND HURT CERTIFICATE, ALSO FOR ANY MERITORIOUS SERVICE SPECIAL RECOMMENDATIONS PRIZE OR OTHER GRANTS.			MEDALS, CLASPS, ETC.	
Date.	Particulars.	Commander's signature.	Date received.	Nature of decoration.

* On 31st December of each year, or on final discharge.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

SCHEDULE IV.

WARRANT OF IMPRISONMENT ON A SENTENCE OF AN INDIAN MARINE COURT.

(See Rule 8.)

To

THE OFFICER IN CHARGE OF THE PRISON AT

Whereas (1) _____, was by an Indian Marine (1) Rank and
Court on the _____ day of _____, and was sentenced on the same entered in
convicted of (2) _____ day of _____ 18] (3) to full.
date [on the _____ day of _____; and whereas (2) State-
undergo ^{rigorous} ~~simple~~ imprisonment for (4) _____; ment of of-
the said conviction and sentence has been duly confirmed as required by law [with a fence to be
mitigation of _____] (5) _____; entered.
- This is to authorize and require you, the Officer in charge of the said Prison (3) The ap-
at _____, to receive the said _____ propriate
into your custody in the said Prison, together with this warrant, and there carry the words to be
aforesaid sentence into execution according to law. used.

Dated this _____ day of _____ 18 .

(Signature.)

SCHEDULE V.

SUMMONS REQUIRING THE ATTENDANCE OF A WITNESS BEFORE AN INDIAN MARINE COURT.

(See Rule 11.)

To (1)

I hereby summon and require you, the above-named person, to attend as a witness (1) Name and
at an Indian Marine Court to be held on board the Royal Indian Marine Vessel address to be
[at _____] (2) at _____ o'clock A.M. entered in
[P.M.] on the _____ day of _____ 18 , for the full
trial of _____, and to bring with you the document _____, and
hereinafter described. (3) and so to attend, with the said document from day to day, the words
until you shall be duly discharged from attendance. "on board
the Royal
Indian
Marine Ves-
sel" to be
omitted.
(3) These
words to be
omitted if no
document is
required.

Dated this _____ day of _____ 18 .

(Signature.)

Description of document. (5)

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

SCHEDULE VI.*

FORM OF CHARGES.

(See Rule 18.)

Section 5.

Being a commanding officer	{	(i) { upon signal of battle, on sight of an enemy whom it was his duty to engage.	} not using his utmost exertions to bring his vessel into action.
		(ii) during an action, in his own person and according to his rank, not encouraging his inferior officers and men to fight courageously.	
		(iii) when capable of making a successful defence, surrendering his vessel to the enemy.	
		(iv) improperly, in time of action, withdrawing from the fight.	

* Note to Schedule VI.—Charges are to be drawn up in the following form :—

For that	{	he they	{	the said	{	Commander Lientenant Engineer Seaman	}	belonging to the Royal Indian Marine ship.....
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Section 6.

Being an officer,	{	from cowardice	}	(i) forbearing to follow the chase of an enemy	} beaten flying;
		from negligence		(ii) not relieving and assisting a known friend in view to the utmost of his power ;	
		((from other default)		(iii) improperly forsaking his station.	

then { a person } subject to the Indian Marine Act, 1887,
being { person }

{ did was were } on the.....day of..... 18 between the.....
day of.....18 and the.....day of.....

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

As regards the date the charge should be proved as laid; but—if through inadvertence the wrong date be inserted, the error is not fatal to the charge, which may be amended as pointed out in Rule 42.

Section 7.

- (i) When {an action
a service } being commanded {delaying
discour-
aging. } the action the service ;
(ii) In the presence
In the vicinity } of the enemy {deserting his post ; sleeping upon his watch.

Section 8.

From cowardice {when ordered to prepare {not using his utmost exertions to carry
From negligence {for action, during an {the orders of his superior officer into
(From other default) {action, {execution.

Section 9.

- (i) Treacherously {holding correspondence
with
giving intelligence to } the enemy ;
(ii) Failing to make known to proper authority information received from the enemy ;
(iii) Relieving the enemy with supplies.

Section 10.

Holding improper communication with the enemy

Section 11.

Deserting his post ;
Sleeping on his watch ;
Negligently performing a duty imposed on him.

Section 12.

Joining in a mutiny accompanied by violence ;
(a) Traitorously
(b) From cowardice {not using his utmost exertions to suppress a mutiny accompanied
(c) From negligence {by violence

Section 13.

Being a ringleader in a mutiny not accompanied by violence.
Joining in
Not using utmost exertion to {a mutiny not accompanied by violence ;
suppress

Section 14.

Endeavouring to {seduce from his {duty
allegi- {to Her
ance {Maj-
esty {a person subject to the
incite to commit an act of mutiny {Indian Marine Act, 1887.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Section 15.

Making	}	a mutinous assembly ;
Endavouring to make		
Leading	}	a person to join in a mutinous assembly ;
Inciting		
Uttering words of	{	sedition ;
		mutiny.

Section 16.

Wilfully concealing	{	{ a traitorous	{ practice ;	}	words spoken against Her Majesty ;
		{ a mutinous	{ design ;		
		{ seditious			
		{ mutinous			
		{ a practice			
		{ a design	{ tending to the hindrance of the service.		
		{ words			

Section 17.*

Striking	{	his superior officer, being in the execution of office ;
Attempting to strike		
Using violence against		
Attempting to use violence against		
		his superior officer.

Section 18.†

Wilfully disobeying a lawful command of	{	his superior officer.	
Using { threatening			{ language to
{ insulting			
Behaving with contempt to			

Section 19.‡

Desertion	{	(i) by absenting himself from	{ his vessel, the place where his duty required him to be,	{ with the intention of not returning to that	{ vessel ; place ;
		(ii) by doing an act when absent from his	{ vessel, place of duty,	{ showing an intention of not returning to that	{ vessel ; place.

* *Note on section 17.*—A superior officer is always to be considered in the execution of his office when afloat in a Royal Indian Marine vessel, when on duty on shore and also under any other circumstance in which he may be called upon to exercise his office. Under other circumstances resulting in the trial of an offender for striking, etc., his superior officer the latter should be described as not being in the execution of his office. In charges of striking or attempting to strike, or using violence or attempting to use violence, it is not necessary to insert the details descriptive of the mode of such striking, nor of the manner in which such violence was used ; nor, if the accused has used a weapon, need the nature of the weapon be stated in the charge.

† *Note on section 18.*—To constitute an offence of "behaving with contempt" it is not necessary for the subordinate to be insolent in manner or disrespectful in tone so long as being in the presence of his superior officer, the words used show contempt for the position or the orders of such superior officer.

‡ *Note on section 19.*—A charge of "attempting to desert" must not be drawn. The definition of the offence of desertion is doing an act which shows that there is no intention of returning. To justify a conviction, therefore, it is not necessary that the deserter shall have succeeded in fully effecting an escape.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Section 20.

Endeavouring to seduce a person subject to the Indian Marine Act, 1887, to desert.

Section 21.

Improperly leaving his { vessel;
place of duty

Section 22.

Absence without leave

Section 23.*

Drunkenness ... { on boardship;
on duty.

Section 24.

Cruelty by
scandalous } conduct as
fraudulent } an officer.
conduct unbecoming the charac-
ter of

Section 25

Designedly Negligently By a default	{ losing stranding hazarding suffering to be	{ lost stranded hazarded	{ a vessel of the Indian Marine Service.
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* *Note on section 23.*—A charge of drunkenness should be framed in the following manner :—

Charge.—Drunkenness on boardship (or on duty) in that
on this 19 , on board the Royal Indian Marine
vessel, he was drunk (or, on the 19 , at , when on
duty he was drunk.)

Drunkenness includes intoxication from the effects of opium or any similar drug as well as from liquor.

In cases where conflicting or indecisive evidence is given, it may sometimes be very difficult to arrive at a satisfactory conclusion. The proper meaning to be attributed to the word 'drunk' in such cases is this, that through the intoxicating effect of liquor or a drug the prisoner was unfit to be entrusted with his duty. On the one hand, it is not necessary for the prosecution to prove that the prisoner was through liquor in any extreme condition, nor is the prisoner necessarily entitled to an acquittal by showing that on the occasion in question he could, or actually did, do some particular duty without manifest failure. If, upon consideration of all the evidence, the Court comes to the conclusion that the prisoner was, through the intoxicating effect of liquor, unfit to be entrusted with his duty, they should find him guilty of the charge. If, on the other hand, in the opinion of the Court, it is not satisfactorily proved that the prisoner was, through the intoxicating effect of liquor, or a drug, unfit to be entrusted with his duty, then notwithstanding they may infer from the evidence that he had drunk more than usual, they ought to acquit.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Section 26.

Being an officer in command of an Indian Marine vessel,

{ receiving
 permitting to be received
 other than for the sole use of that vessel, and not being gold, silver, or jewels ;

{ on board that vessel } goods or merchandise.

{ and 'not being goods or merchandise

{ belonging to a merchant or on board a vessel

{ shipwrecked or in imminent danger either on the sea or in some port, creek, harbour or river,

{ and received on board for the purpose of preserving them for their proper owners.

Section 27.

Wastefully expending
Embezzling

Fraudulently

Knowingly permitting

{ buying
 selling
 receiving
 wasteful expenditure of
 embezzlement of
 fraudulent

{ purchase of
 sale of
 receipt of

{ public ammunition ;
 public provisions ; (other public stores).

Section 28.

Unlawfully setting fire to

{ a dockyard
 a victualling-yard
 a steam-factory yard
 an arsenal
 a magazine
 a building
 stores
 a ship
 a boat
 (other craft)

{ the furniture belonging to

{ a ship
 a boat
 (other craft)

{ not being the property of an enemy.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Section 29.

Knowingly Commanding the Counselling the Procuring the Aiding { a per- Abetting { son in	making signing } a false	{ muster; record; { other official document).
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Section 30.

Wil- fully { doing an act, dis- obeying an order	in hospital (elsewhere). } with intent to	{ pro- duce aggra- vate delay his cure ;	{ a disease; an infirmity ;
Feigning	{ a disease; an infirmity; an inability to perform his duty.		

Section 31.

Attempting to stir
up a disturbance
upon the ground { unwholesomeness of the victuals;
(upon any other ground).

Section 32.¹

An act
A disorder } to the prejudice of good order and discipline.
A neglect

Section 33.

Not using his utmost exertion Not assisting the officers for that appointed	purpose { to detect, arrest and bring to punish- ment an offender against the Indian Marine Act, 1887.
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Section 34.

When } summoned duly } ordered	to attend as a witness	power control	before	{ an Indian Marine Court, a command- ing officer exercising jurisdiction under the Indian Ma- rine Act, 1887.
	to produce document in his			
	refusing neglecting behaving with contempt to the				{ to attend to give his evidence, to produce the document, court; officer.

¹ [Note on Section 32.—A charge of alcoholism should be framed in the following manner:—

Charge.—An act to the prejudice of good order and discipline
in that, on the

¹ This "note" was inserted by Notification No. 48, dated the 3rd September, 1900, see Gazette of India, 1900, Pt. I, p. 791.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procédure of Indian Marine Courts—*contd.*

19 , on board the Royal Indian Marine vessel
(or, at) being liable to
duty, rendered himself unfit for the performance of such
duty by reason of indulgence in alcoholic stimulants.]

Section 35.

When examined upon oath before { an Indian Marine Court,
a commanding officer exercising } jurisdiction under the Indian } intentionally giv-
Marine Act, 1887, } ing false evi-
dence.

Charge-sheet.

(Description of prisoner.) The prisoner, Lascar Ali Baksh, of the Royal Indian Marine vessel
(Statement of offence.) *Ajax*, is charged with—

First charge.—Sleeping upon his watch;
in that,

(Statement of particulars.) on the 6th June 1887, on board the Royal Indian Marine vessel *Ajax*,
he slept upon his watch during his tour of duty between the hours of 2
and 4 o'clock A.M.

Second charge.—Using threatening language to his superior officer;
in that,

on the 6th June 1887, on board the Royal Indian Marine vessel *Ajax*, he
said to his superior officer, Chief Syrang Nur Mahomed, of the Royal
Indian Marine—"Take care, I will see about your business," or words
to that effect.

To be tried by an Indian Marine Court.

Director of the Royal Indian Marine.

BOMBAY,

18

SCHEDULE VII.

FORM FOR RECORDING THE PROCEEDINGS OF AN INDIAN MARINE COURT.

(See Rule 35.)

(To be written on one side of the paper only.)

Proceedings of an Indian Marine Court convened by order of (1)

(1) The official description to be set out in full, that is, "the Governor General in Council;" "the Director of the Royal Indian Marine;" "(name of rank) being an officer empowered by warrant to the Governor General in Council;" or "Commander of the Royal Indian Marine vessel."

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—contd.

Indian Marine vessel (2) and held on board the Royal
[at
(3) on the
trial of (4) 18 for the
a prisoner before the Court. who is brought

The order convening the Court is read and attached to the proceedings.

After challenge offered and declined [disposed of] (5) the Court is constituted as follows, namely:—

(4)	} President.
(4)	

(4) appears as prosecutor.

(4) appears as interpreter.

The president, members [and interpreter] (6) are duly sworn (7).

All witnesses are ordered out of Court.

The charge-sheet is read and attached to the proceedings (8).

Question by President } Are you guilty or not guilty of the
to prisoner. } charge [charges] (9) you have heard
A (10). } read?

- (2) Enter name of vessel.
- (3) If the trial is held on land, the place to be entered here, and the foregoing words "on board the Royal Indian Marine vessel" to be omitted.
- (4) Rank and name to be entered in full.
- (5) If the prisoner challenges, the form in brackets to be used.
- (6) To be used if an interpreter is necessary and ordered to attend.
- (7) If a person has religious scruples against taking an oath, he should be affirmed. As a rule, Christians, Jews, Parsis, Sikhs, and Muhammadans are sworn, and Hindus are affirmed.
- (8) The Court should see that the charge-sheet is duly signed and dated by, or by order of, the convening authority. If the Court finds that the charge-sheet is not duly signed and dated, it should adjourn in view to the signature and date being added.
- (9) The appropriate word to be used.
- (10) The prisoner must plead "guilty" or "not guilty" in respect of each charge, if he answers anything else, or does not answer, the Court must record "not guilty." Where charges are in the alternative, the prisoner must plead "guilty" or "not guilty" to each charge. If the prisoner pleads "not guilty" to any charge, the charges must be put and required separately, and not being tried together, this question and answer must be put and required separately in respect of each prisoner.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—contd.

Proceedings on Plea of Not Guilty.

PROSECUTION.

The prosecutor addresses the Court. (11)

1st witness, (12) , being duly sworn, (7) and questioned, states (13)—

Cross-examined. (13)

Re-examined. (13)

Examined by Court. (14)

WITNESS WITHDRAWS.

NOTE.—The examination of all the witnesses for the prosecution shall be conducted as above.

DEFENCE.

The prisoner addresses the Court. (11)

1st witness, (12) , being duly sworn, (7) and questioned, states (13)—

Cross-examined. (13)

Re-examined. (13)

Examined by the Court. (14)

WITNESS WITHDRAWS.

NOTE.—The examination of all the witnesses for the defence will be conducted as above.

(11) To be used if an address is made. If the address is read, it should be attached to the proceedings.

(12) Enter full description.

(13) The statement, cross-examination and re-examination are to be recorded at length in narrative form.

(14) The Court may put questions at any time, but it is advisable not to put them till the conclusion of the cross-examination, and re-examination, if any. The Court, after the cross-examination and re-examination, if any, are concluded, may put any question it thinks proper that the prisoner may suggest. The Court may recall and examine a witness at any time before the finding.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—contd.

The prisoner addresses the Court. (11) (16)

The prosecutor addresses the Court (11) (16)

Proceedings on Plea of Guilty.

The prosecutor informs the Court of the case against the prisoner as follows, namely:—(16)

The Court proceeds to call witnesses. (17)

1st witness, (12) , being duly sworn, and questioned, states (13)—

Cross-examined. (13)

Re-examined. (13)

Finding on Plea of Not Guilty.

The Court is cleared to record the finding (18).

The Court finds that the prisoner (12)

is not guilty of the charge [charges]

is guilty of the

charge, and is not

guilty of the

charge, is guilty of the

charge with the exception that

[of the words]

did the act [acts, said the words]

as alleged in the charge, but was at the time insane and not responsible for his acts [words].

(15) If the prisoner has not called witnesses, the prosecutor, if he addresses the Court, must do so before the prisoner makes his closing address.

(15) The prosecutor should give an impartial statement of the case so that he put the Court in possession of the facts.

(17) The Court may of its own motion, and must, at the request of the prisoner, send the prosecutor, and call witnesses to facts in the ordinary way as on a plea of not guilty.

(12) The appropriate form to be used. The finding must be in such terms as to clearly convict or acquit of every charge, or part of a charge. Any variance between the allegations in a charge and the proof may be rectified in the finding; for instance, the Court may find that the date of offence was the 10th June, 1905, and not the 11th, as stated in the charge, and so as to variance in person's name, and in places and in values. But the Court cannot correct by its finding an error in a charge which would result in finding a prisoner guilty of an offence & exempt from the same which he is not made.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV of 1887).

Procedure of Indian Marine Courts—contd.

The Court is re-opened and the prisoner is again brought in.

The prisoner's character-roll and record of service are laid before the Court, and a copy is attached to the proceedings.

The prisoner asks permission to call witnesses to speak to his character. (19)

(13) being questioned by the prisoner states
(13)—

Proceedings on Plea of Guilty.

[A finding to be recorded as above, and evidence taken as to character and service, and the statement of any witness to character called by the prisoner to be recorded.]

The prisoner addresses the Court in mitigation of punishment as follows: (20)

Sentence. (21)

The Court is cleared to record the sentence,

The Court sentences the prisoner (12) to

(a) { be dismissed with disgrace from the Royal Indian Marine Service, [and to undergo (rigorous) (simple) imprisonment for (calendar month) (days): (calendar months) (days) of the said imprisonment to be rigorous (22)]. (23).

(b) { undergo imprisonment for (22), [and to be disgrated. (24) to (27)]

(c) be dismissed from the Royal Indian Marine Service.

(d) lose seniority as an officer for (25).

(19) Such a request should generally be granted if the witnesses are in attendance. They should not be sworn.

(20) The purport of what the prisoner states should be recorded. If the address is in writing, it should be attached to the proceedings.

(21) The Court should use the appropriate form, and be careful not to duplicate punishment in a manner not sanctioned by section 38 of the Indian Marine Act, 1887.

(22) No sentence of imprisonment can exceed two years; it may be wholly rigorous or wholly simple, or partly rigorous and partly simple. Imprisonment, if not awarded in years, should be awarded in calendar months or in days.

(23) Imprisonment may be joined to dismissal with disgrace.

(24) In the case of any person below the rank of "gazetted officer," disgrating may be joined to imprisonment.

(25) The period to be entered. If the prisoner is to lose seniority by being placed lower in the list of his rank, the number of places in the list should be entered.

(26) Name of vessel.

(27) Position to which disgrated.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—contd.

- (e) be dismissed from the Royal Indian Marine vessel (26).
- (f) be severely reprimanded.
- (g) be reprimanded.
- (h) be disgraced to (27).
- (i) forfeit (28) the bounty, salvage, prize money, allowances earned by him.
- (j) forfeit (28) all his annuities, pensions, gratuities, medals and decorations.

Recommendation to Mercy. (29)

Signed on board the Royal Indian Marine vessel

[at] (3) this day of 18 .
President.

Revision. (30)

The Court having read and considered the above reasons for a revision of the [finding and] sentence, does now adhere to its [finding and] sentence.

, does now revoke its former [finding and] sentence.

Revised finding. (18)

The Court finds that the prisoner (18)

Revised Sentence. (21)

The Court sentences the prisoner (12)

(Recommendation to mercy, if any, and subscription to follow as in the form above.)

(28) The Court can award all or any of these forfeitures as a substantive punishment. In the case of a sentence of dismissal with disgrace, these forfeitures are involved in the dismissal, and should not be awarded in the sentence.

(29) The reasons for the recommendation should be set out.

(30) The reasons for recommending revision shall be recorded by, or by order of, the confirming authority, and shall revision of the sentence only sentence must be revised if

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

Confirmation.

- (a) Confirmed. (31)
- (b) I confirm the finding; the sentence is not confirmed. (32)
- (c) I confirm the finding on the charge only and the sentence is confirmed. (33)
- (d) Confirmed; I reduce the punishment to
- (e) Confirmed; I commute the punishment to
- (f) I confirm the finding, and vary the form of the sentence so that it shall stand as follows, namely, (34)

, and I

confirm the sentence as so varied.
- (g) I confirm the finding and substitute for the sentence above the following sentence, namely, (34)
and I confirm the sentence so substituted.

Signed on board the Royal Indian Marine vessel

[at] this day of 18 .

Subsidiary Order. (35)

- (a) The prisoner is to return to his duty.
- (b) The prisoner is to be struck off the strength of the Royal Indian Marine Service [the books of the Royal Indian Marine vessel (26)] from the day of 18 [this date].
- (c) The prisoner will be made over with the prescribed warrant of commitment to the officer in charge of the prison.

(31) This form of disposal includes both finding and sentence.

(32) In this case the conviction shall remain against the prisoner and be entered in his record of service.

(33) The charge or charges which are not included in the confirmation shall not be entered in the prisoner's record of service.

(34) The varied or substituted sentence only shall be entered in the committal warrant of prisoner's record of service.

(35) This order shall be entered by, or by order of, the confirming authority, and shall be signed and dated.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV of 1887).

Procedure of Indian Marine Courts—*contd.*

SCHEDULE VIII.

FORM FOR RECORDING THE PROCEEDINGS OF A COMMANDING OFFICER EXERCISING JURISDICTION UNDER SECTION 43.

(See rule 46.)

(To be written on one side of the paper only.)

The Royal Indian Marine vessel (1)

Warrant No. (2); date 18 ,

For imprisonment [disrating].

WHEREAS it has been represented to me by (3) [I did observe] (4) that on the day of 18 .

Name

Age

Rating

Reference No.

Date of joining vessel

Date of enrolment

Character,

did (5)

I do hereby adjudge that the said (6) undergo ^{rigorous}_{simple} imprisonment (7) for (8) be disrated to (9)

Before awarding the above punishment I did this day personally and publicly in the presence of the accused and the accuser [Lieutenant] (10) investigate the matter and having heard the evidence (11) of (12)

(and of 12) in support of the charge as well as what the accused had to offer in his defence and the evidence (13) of whom he called in his defence, I did consider the charge proved, and [taking into consideration that this is the offence recorded against him] (14) did adjudge him to be punished as above.

(1) Name of vessel.
(2) Warrants are to be numbered consecutively in a single series.
(3) Rank and name of accuser.
(4) To be used when the offence has been committed in the presence of the commanding officer and (3) to be then omitted.
(5) Enter offence, which must be one triable by an Indian Marine Court under section 41.
(6) Position and name of accused.
(7) Imprisonment may be either rigorous or simple or partly rigorous and partly simple.
(8) The term must not exceed fourteen days.
(9) Position to which disrated.
(10) If the commanding officer witnessed the offence then enter here the name of an officer attending at the investigation and omit the words, "and the accuser."
(11) Name of the accused.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1887 (XIV OF 1887).

Procedure of Indian Marine Courts—*contd.*

(11) The witnesses should be sworn or affirmed.

But witnesses will here be unnecessary if the commanding officer witnessed the offence.

(12) Position and names of the witnesses.

(13) To be used if the accused calls witnesses.

The witnesses, if any, must be sworn or affirmed.

(14) To be used if there are previous convictions.

(15) If the trial is on land these words to be omitted and the place to be entered.

(16) "At sea" or at the port where the vessel may be.

(17) The name of the officer attending as in (10).

Given under my hand on board the Royal Indian Marine vessel
(15) at (16) this
day of 18 . , (17) Lieutenant
Commander.

Former offences.

Date.	Offence.	Punishment.

[NOTE.—Enter in first warrant for any man in each quarter all offences during the last six months (if he has been in the vessel); for any previous time only offences punished by warrant. If a man is punished by warrant more than once in any quarter only offences committed after date of first warrant need appear, a reference being given to date of first warrant.]

SCHEDULE IX.

REGULATIONS RESPECTING MINOR PUNISHMENTS UNDER SECTION 77.

(See Rule 47.)

1. A commanding officer may award any one or more of the following minor punishments, namely:

(1) in respect of a person below the position of warrant officer—

(a) disrating, which may be to the rating of a fourth class lascar or fourth class stoker, but not to any lower rating;

(b) confinement to his vessel, or stoppage of leave for any period, not exceeding twenty-eight days;

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MARINE ACT, 1837 (XIV OF 1837).

Procedure of Indian Marine Courts—*contd.*

- (c) stoppage of pay for every day of absence without leave or of overstaying leave;

NOTE.—A person shall be regarded as absent without leave for one day when he has been so absent for six consecutive hours whether wholly in one day or partly in one day and partly in another.

The day or days during which a person is incapacitated from performing his duty by reason of intoxication or the after-results of intoxication, may be treated as a day or days of absence without leave.

- (d) reprimand in the case of a petty officer, and admonition in the case of a person below that position;
(2) in respect of a person below the position of petty officer—
(e) carrying hammock or bag for one hour at a time;

NOTE.—This punishment is only to be awarded for misconduct in connection with clothes, hammocks, and bags, and is not to be awarded for more than three days or for more than two hours each day.

- (f) extra lee wheel;

NOTE.—This punishment is only to be awarded for idleness or inattention aloft, or on duty, or for slackness in boats, and is not to extend over the duration of the watch in which it is awarded.

- (g) to stand on the quarter-deck for two hours at a time for any period not exceeding seven days.

2. A commanding officer may delegate to the senior gazetted officer present under his command, authority to award all or any of the minor punishments mentioned in clauses (c), (f) and (g) of Regulation 1.

3. A commanding officer may delegate to the officer of the watch, authority to award the punishment mentioned in clause (f) of that regulation.

4. A punishment shall be calculated as having commenced from the time when it is awarded.

5. The punishments mentioned in clauses (c), (f) and (g) of Regulation 1 shall not be carried out on Sunday.

6. The award of every minor punishment shall be entered in the defaulters-book by the commanding officer, either at the time it is made, or not later than the following day, and shall be verified by him.

[See Gazette of India, 1896, Pt. I, p. 656.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III of 1888).

¹ Creation of General Police Districts comprising certain Railway lands in the Bombay Presidency.

No. 921, dated 10th July, 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, and in supersession of previous notifications the Governor General in Council is pleased—

The main line of the Madras and Southern Mahratta Railway from the Portuguese frontier near Castle Rock to the Tungabhadra River.

The West Deccan line or Poona branch from Londa to Poona.

The East Deccan line or Bijapur branch from Gadag to Hotgi.

The Harihar branch from Hubli to the frontier of Mysore near Harihar.

The Kolhapur Railway.

The Sangli Branch Railway.

The main line of the Great Indian Peninsula Railway from Bombay to the frontier of the Central Provinces.

The line from Kalyan to the frontier of Hyderabad near Dudhni.

The line from Dhond to Manmad.

The Chalisgaon-Dhulia branch.

The Amalner-Jalgaon branch.

The section of the Nagpur branch from Bhusawal to the frontier of Berar.

The Khopoli branch from Palasdhari to Khopoli.

The Barsi Light Railway.

(a) to create a general police-district embracing all the lands now occupied by the railways specified in the margin including all lands occupied by stations, by out-buildings, and for other railway purposes, and to direct the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein, and

(b) to appoint the Governor of Bombay in Council to discharge, with respect to the general police-district aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands, aforesaid or in any part thereof.

[See Gazette of India, 1908, Pt. I, p. 606.]

¹ Creation of General Police Districts comprising certain Railway lands in the Bombay Presidency.

No. 922, dated the 10th July, 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied,

¹ For other notifications of this kind which affect single provinces, see the volumes of Local Statutory Rules and Orders issued by Local Governments.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III OF 1888).

Creation of General Police Districts comprising certain Railway lands in the Bombay Presidency—*contd.*

and in supersession of previous ¹ notifications, the Governor General in Council is pleased—

The main line of the Bombay, Baroda and Central India Railway from Colába to Viramgám.

The Típti Valley Railway.

The Rájputana State Railway.

The Baroda-Godhra Chord of the Bombay, Baroda and Central India Railway.

The Anand-Godhra branch of the Bombay, Baroda and Central India Railway.

(a) to create a general police-district embracing all the lands for the time being occupied by the railways specified in the margin, including all lands occupied by stations, by out-buildings and for other railway purposes, and to direct the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein, and

The Anand-Godhra branch of the Bombay, Baroda and Central India Railway.

The Viramgám Kháraghoda branch of the Bombay, Baroda and Central India Railway.

The Mehsána-Viramgám section of the Gáekwar's Mehsána Railway.

The Viramgám-Wadhvān branch of the Bombay, Baroda and Central India Railway.

The main line of the Rájputana-Malwa Railway, from Sabarmati to the Rájputana frontier near Roho.

The Pálapur-Deesa Railway.

The Nadiad-Kapadvanj Railway.]

(b) to appoint the Governor of Bombay in Council to discharge within the general police-district aforesaid the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof.

[See Gazette of India, 1908, Pt. I, p. 607.]

Creation of General Police Districts comprising certain Railway lands in the Bombay Presidency.

No. 923, dated the 10th July, 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III

¹ The "Gáekwar's Dághoi Railway" was omitted by Notification No. 233, dated the 4th March, 1909, see Gazette of India, 1909, Pt. I, p. 186.

² These words were added by Notification No. 434, dated the 5th March, 1912, see Gazette of India, 1912, Pt. I, p. 332.

³ Inserted by Notification No. 959, dated the 5th September, 1913, see India, 1913, Pt. I, p. 844.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III OF 1888).

Creation of General Police Districts comprising certain Railway lands in the Bombay Presidency—*contd.*

of 1888), as in force in British India or as locally applied, and in supersession of previous notifications, the Governor General in Council is pleased—

- (a) to create a general police-district embracing all the lands for the time being occupied by

The sections of the North-Western State Railway running on either side of the Indus, from Kiamari to the Punjab frontier near Reti, with their branches.

The line between Ruk and the Baluchistan frontier near Jhatpat.

The line between Hyderabad and the Jodhpur frontier near Khokhropar.

The line from Hyderabad to Badin.

¹[The line from Mirpurkhas Junction to Khadro.]

²[The line from Jamrao junction to Jhudo.]

the railways specified in the margin, including all lands occupied by stations, by out-buildings and for other railway purposes, and to direct the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein, and

- (b) to appoint the Governor of Bombay in Council to discharge within the general police-district aforesaid the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof.

[See Gazette of India, 1908, Pt. I, p. 607.]

Creation of General Police Districts comprising certain Railway lands in the United Provinces, the Punjab, Ajmer-Merwara, the Rajputana and Central India Agencies and certain contiguous Native States.

No. 2817-I.B., dated the 10th July, 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor General in Council is pleased—

- (a) to create a general police-district embracing all the lands, situate within the United Provinces of Agra and Oudh, the Punjab ³[Ajmer-Merwara], the Rajputana and Central India Agencies, and the Native States referred to

¹ Inserted by Notification No. 1036, dated the 5th July, 1912, see Gazette of India, 1912, Pt. I, p. 734.

² These words were inserted below the last item by Notification No. 1125, dated the 21st December, 1909, see Gazette of India, 1909, Pt. I, p. 1713.

³ These words were inserted by Notification No. 1280-I. B., dated 29th June, 1909, see Gazette of India, 1909, Pt. I, p. 525.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III of 1888).

Creation of General Police Districts comprising certain Railway lands in the United Provinces, the Punjab, Almor-Merwara, the Rajputana and Central India Agencies and certain contiguous Native States—*contd.*

- in the list appended hereto, which are, or may hereafter be, occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations, by out-buildings and other railway purposes;
- (b) to direct the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein; and
 - (c) to appoint the Agent to the Governor General in Rajputana to discharge, with respect to the general police-district and police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above-mentioned or in any part thereof.

List of Railways.

- (1) The main line of the Rajputana-Malwa Railway from the frontier of the Bombay Presidency near Roho to the west distance signal at Rewari Junction, including the lands lying within the Native States of Sirohi, Jodhpur, Kishangarh, Jaipur, Alwar and Nabha.
- (2) The Sambhar Branch of the Rajputana-Malwa Railway from Phulera to Kuchaman Road with the extension to Japog, including the lands lying within the Native States of Jaipur and Jodhpur.
- (3) The Rewari-Phulera Chord Railway from the south distance signal at Rewari Junction to Phulera, including the lands lying within the Native States of Nabha, Alwar, Patiala, Jaipur and Jodhpur.
- (4) The Agra Branch of the Rajputana-Malwa Railway from Bandikui to the west distance signal at Aehnara, including the lands lying within the Native States of Jaipur, Alwar and Bharatpur.
- (5) The Malwa section of the Rajputana-Malwa Railway (including the Holkar State Railway) from Ajmer to the Nerbudda river (exclusive) near Mortakka, with the branch from Fatehabad to the south distance signal at Ujjain,

¹ Substituted by Notification No. 1230-I.B., dated 29th June, 1900, see Gazette of India, 1900, Pt. I, p. 525.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III of 1888).

Creation of General Police Districts comprising certain Railway lands in the United Provinces, the Punjab, Ajmer-Merwara, the Rajputana and Central India Agencies and certain contiguous Native States—*concl'd.*

including the lands lying within the Native States of Mewar, Tonk, Gwalior, Dhar, Jaora, Rutlam, Sailana and Indore.]

- (6) The whole of the Jodhpur-Bikaner Railway system, exclusive of the section between Hyderabad and the Jodhpur frontier near Khokrapar, including the lands lying within the Native States of Jodhpur, Bikaner and Patiala.
- (7) The section of the Godhra-Rutlam-Ujjain Railway from the western end of the bridge over the Anas river to the west distance signal at Ujjain, including the lands lying within the Native States of Gwalior, Indore, Sailana, Rutlam and Jhabua.
- (8) Those sections of the Nagda-Muttra Railway which are, or hereafter may be, opened to traffic from Nagda to Muttra (exclusive), including the lands lying within the Native States of Gwalior, Dewas (Junior Branch), Dewas (Senior Branch), Jhalawar, Indore, Kotah, Bundi, Jaipur, Karauli and Bharatpur.

[See Gazette of India, 1908, Pt. I, p. 610.]

Creation of General Police Districts comprising certain Railways in the Central Provinces and certain contiguous Native States.

No. 1153, dated the 31st December, 1909.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor General in Council is pleased—

- (a) to create a general police-district embracing all the lands within the Central Provinces and the Native States referred to in the list appended hereto, which are, or may hereafter be, occupied by the railways enumerated in that list, inclusive of all lands occupied by stations, by out-buildings and for other railway purposes;
- (b) to order the enrolment, under the Police Act, 1861 (V of 1861), of a police force for service therein; and
- (c) to appoint the Chief Commissioner of the Central Provinces to discharge, with respect to the general police-district and police force aforesaid, the functions of the Local Govern-

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III of 1888).

Creation of General Police Districts comprising certain Railways in the Central Provinces and certain contiguous Native States—*concl'd.*

ment under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof.

II. The Home Department Notification No. 647, dated the 16th July, 1909, is hereby cancelled.

List of Railways.

- (1) The East Indian Railway, from Jubhulpore to the northern outer signal at Sutna Station.
- (2) The Indian Midland Railway, from Itarsi to the border of the United Provinces of Agra and Oudh, including the lands lying within the Native States of Kurwai, Bhopal, and Gwalior.
- (3) The Bhopal-Ujjain Railway, including the lands lying within the Native States of Gwalior, Indore, Bhopal, Dewas (Senior Branch), and Dewas (Junior Branch).
- (4) The Bina-Guna-Baran Railway and the Baran-Kotah section of the Nagda-Muttra Railway, including the lands lying within the Native States of Gwalior, Tonk and Kotah.
- (5) The Indian Midland Railway, Bina-Katni Branch, including the lands lying within the Panna State.
- (6) The Great Indian Peninsula Railway, including the land lying within Berar.
- (7) The Bengal-Nagpur Railway, including the lands lying within the Native States of Khairagarh, Nandgoon, Sakti, Raigarh and Rowah, and that portion of the Raipur Vizianagram branch of the Bengal-Nagpur Railway which lies within the Patna State.
- (8) The Holkar State Railway south of the northern end of the bridge over the Nerbudda river, including the lands lying within the Indore State.

[See Gazette of India, 1910, Pt. I, p. 3.]

Creation of General Police Districts comprising certain Railway lands in the United Provinces and Oudh and certain contiguous Native States.

No. 447, dated the 6th March 1912.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

POLICE ACT, 1888 (III of 1888).

Creation of General Police Districts comprising certain Railway lands in the United Provinces and Oudh and certain contiguous Native States—*contd.*

of 1888), as in force in British India or as locally applied, the Governor General in Council is pleased:—

- (a) to create a general police-district embracing all the lands, situate within the United Provinces of Agra and Oudh, and the Native States referred to in the list appended hereto, which are, or may hereafter be, occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations, by out-buildings and for other Railway purposes;
- (b) to order the enrolment, under the Police Act, 1861 (V of 1861), of a police force for service therein, and to direct that the police force enrolled in pursuance of the notification specified in paragraph III of this notification shall be deemed to have been enrolled in pursuance of this notification.

II. The Governor General in Council is also pleased to appoint the Lieutenant-Governor of the United Provinces of Agra and Oudh to discharge, with respect to the general police-district, and police force aforesaid, the functions of the Local Government under the said Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof.

III. Notification No. 1194, dated the 27th September, 1911, by the Government of India in the Home Department, is hereby cancelled.

List of Railways.

1. The Bengal and North-Western Railway, including the lands within the Benares State.
2. The Oudh and Rohilkhand State Railway, including the lands within the Rampur and Benares States.
3. The Rohilkhand and Kumaon Railway, including the lands within the Rampur State.
4. The Lucknow-Bareilly Railway.
5. The East Indian Railway, including the section from Naini to the Northern outer signal at Sutna Station, but excluding the portion in the Punjab between the Jumna Bridge and the Delhi Junction Station.
6. The sections of the Indian Midland Railway from Cawnpore to the border of the Central Provinces, south of Lalitpur, including the lands lying in the Samthar, Orchha and Khaniadhana States, and from

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

POLICE ACT, 1888 (III OF 1888).

Creation of General Police Districts comprising certain Railway lands in the United Provinces and Oudh and certain contiguous Native States—*concl'd.*

Agra Cantonment to Manikpur, including the lands lying in the Datia, Gwalior, Dholpur, Orchha, Alipura, Garrauli, Palra and Taraon States.

7. The Agra-Delhi Chord Railway, including the lands lying within the Bharatpur State in Rajputana, but excluding the portion in the Punjab between Hodal Railway Station and the Delhi Junction Station.

8. The North-Western State Railway.

9. The Rajputana-Malwa Railway, except the portion between the West outer signal at Achnera on the Achnera-Bandikui section and the border of the United Provinces and the Bharatpur State.

[See Gazette of India, 1912, Pt. I, p. 332.]

Creation of General Police Districts comprising certain Railway lands in the Punjab, Delhi and the North-West Frontier Province and certain Native States.

No. 1578-P., dated the 22nd November, 1912.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor General in Council is pleased:—

- (a) to create a general police district embracing all the lands situate within the Punjab, the Province of Delhi, the North-West Frontier Province and the Native States referred to in the list appended hereto, which are or may hereafter be, occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations and out-buildings and for other Railway purposes;
- (b) to order the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein; and
- (c) to direct that the police force enrolled in pursuance of the notification specified in paragraph III of this notification shall be deemed to have been enrolled in pursuance of this notification.

II. The Governor General in Council is also pleased to appoint the Lieutenant-Governor of the Punjab to discharge, with respect to the general police district and police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE POLICE ACT, 1888 (III OF 1888).

Creation of General Police Districts comprising certain Railway lands in the Punjab, Delhi and the North-West Frontier Province and certain Native States—*concl'd.*

III. Notification No. 1406, dated the 1st October 1912, by the Government of India in the Home Department, is hereby cancelled.

List of Railways.

1. The North Western Railway and the lines worked by that Railway, including the portions situate in the Native States of Jammu and Kashmir, Bikaner, Patiala, Bahawalpur, Nabha, Jind, Kapurthala, Faridkot, Malerkotla, Bhagat and Keonthal.

2. The Rewari-Delhi Section, including the Garhiharsaru-Farukhnagar branch and the Rewari-Kotkapura-Fazilka section of the Rajputana-Malwa Railway, including the portions situate in the Native States of Pataudi, Dujana, Jind, Patiala, Nabha and Faridkot.

3. The Delhi-Ambala-Kalka Railway, including the lands lying within the Native States of Kalsia and Patiala.

4. The East Indian Railway, portion lying between the Jumna Bridge and the Delhi Junction Station.

5. The Agra-Delhi Chord Railway, portion lying between the Hodal Railway Station and the Delhi Junction Station.

6. The Jodhpur-Bikaner Railway, from Bhatinda to the Bikaner Frontier, including the portion situate in the Native States of Patiala, and from Hissar to the Bikaner Frontier.

[See Gazette of India, 1912, Pt. I, p. 1589.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—contd.**THE INDIAN RESERVE FORCES ACT, 1888 (IV OF 1888).****Regulations and discipline of the Indian Reserve Forces.**

No. 1058, dated the 29th December, 1911.—In exercise of the powers conferred by section 4 of the Indian Reserve Forces Act, 1888 (Act IV of 1888), the Governor General in Council is pleased to make the following rules for the government, discipline and regulation of the Indian Reserve Forces. The rules regarding the grant of Native Officers' Commissions in the reserve of the Supply and Transport Corps published in Military Department Notification No. 112, dated 10th February, 1905, are hereby cancelled.

1. These rules may be called the Indian Reserve Forces Rules, 1912, and shall come into force on the 1st January, 1912.

2. In these rules "Commanding Officer" means, save as provided in Rule 16, the officer in command of a reserve centre or of the corps or portion of a corps to which a reservist is attached for training or muster.

3. The Reserve shall consist of—

(a) Native officers commissioned under Rule 4.

(b) Persons enrolled under the Indian Army Act, 1911, and transferred to the Reserve either with their own consent, or in pursuance of the conditions of their enrolment.

(c) Persons enrolled under the said Act for service in the Reserve.

4. (a) Commissions as Risaldars, Ressaidars or Jemadars in the Reserve of the Supply and Transport Corps may be granted to gentlemen of influence who have assisted in the work of transport registration and, being not more than 40 years of age, are pronounced medically fit for service.

(b) Such officers will ordinarily be retired on attaining 50 years of age.

(c) When called out for army service such officers will, for the purposes of pay and allowances, be on the same footing as native officers of the Indian Army of corresponding rank, and holding similar appointments in the Supply and Transport Corps. For the purposes of wound, injury, and family pensions or gratuities, they will be under the same rules as the corresponding ranks in the Indian Army.

(d) A commission as a Jemadar in the Reserve of a Military Railway Company may be granted to a stationmaster employed on any railway in India (including Burma).

(e) Native officers of the Reserve will rank among themselves according to the dates of their commissions and, when employed on army service, will rank with native officers of corresponding rank in the Indian Army, but as juniors of each rank. Native officers commissioned under clause (a) will exercise no military command except over persons belonging or

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN RESERVE FORCES ACT, 1888 (IV of 1888).

Regulations and discipline of the Indian Reserve Forces—*contd.*

attached to the Supply and Transport Corps. Native officers commissioned under clause (d) will exercise no military command whatever.

(f) Commissions already granted under the provisions of Military Department Notification No. 112, dated the 10th February, 1905, shall be deemed to have been granted under the provisions of this Rule.

5. Every reservist shall come up for service, training or muster when required to do so by order of his commanding officer or for service when required to do so by proclamation of the Governor General in Council or of any authority empowered by him in this behalf, and shall for this purpose attend at any place specified in such order or proclamation.

6. Every reservist shall inform his commanding officer of his address, and shall on any change of such address, at once inform the said commanding officer of such change.

7. No reservist shall leave India except with the permission of his commanding officer. For the purpose of this Rule, Nepal shall, as regards Gurkha reservists, be deemed to be included in the term "India."

8. No reservist shall accept employment in a militia or levy corps or as a policeman, jail-warder or forest guard.

9. No reservist, other than a reservist of the traffic and locomotive section of a military railway company, shall accept employment in any capacity on the staff of the North-Western or Oudh and Rohilkhand Railways or on any other Railway in any position requiring technical knowledge or training.

10. A reservist who has, for any reason, failed to attend at any place when required to do so in pursuance of Rule 5 may be required by his commanding officer to attend for medical examination at reserve centre, and, if so required, shall attend at such centre on the date appointed for such examination.

11. Notwithstanding anything contained in section 126 of the Indian Army Act, 1911, it shall not be necessary to assemble a Court of Inquiry under that section merely because a reservist has failed to attend when required to do so in pursuance of Rule 5 or 10. Such a Court of Inquiry may, however, in the discretion of the commanding officer of the reservist, be assembled in such a case.

12. A reservist who fails to attend at any place when required to do so in pursuance of Rule 5 shall forfeit all arrears of pay and allowances due to him. Pay and allowances forfeited under this rule may, when the failure to attend is due to sickness or to any other cause which

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.***THE INDIAN RESERVE FORCES ACT, 1888 (IV OF 1888).****Regulations and discipline of the Indian Reserve Forces—*concl.***

appears to his commanding officer to be reasonable, be restored in the discretion of the said commanding officer.

13. A reservist who is discharged between two trainings, either at his own request or for misconduct, shall forfeit all arrears of pay and allowances due to him.

14. The certificate referred to in clause (2) of section 6 of the Indian Reserve Forces Act, 1888, may be signed by the commanding officer of the reservist concerned or, in respect of a reservist who fails to attend for medical inspection when required to do so in pursuance of Rule 10, by the commanding officer of the centre at which such reservist was required to attend.

15. When a person subject to the Indian Army Act, 1911, is transferred to the Reserve, his commanding officer shall, at the time of such transfer, explain or cause to be explained to him the obligations and restrictions imposed by Rules 5 to 10 and the forfeiture which may be incurred under Rules 12 and 13. When a person not subject to the said Act is enrolled thereunder for service in a reserve establishment, the officer enrolling him shall explain the aforesaid obligations, restrictions and forfeiture.

16. A reservist of the Supply and Transport Corps who is attached for training or muster to a unit of that corps other than the unit to which he belongs, may be called up for service by the commanding officer of the unit to which he belongs, and, if such reservist is so called up, the commanding officer of the unit to which he belongs shall be deemed to be his commanding officer for the purposes of Rules 5, 10, 11, 12 and 14.

[See Gazette of India, 1911, Pt. I, p. 1194.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE METAL TOKENS ACT, 1889 (I of 1889).

Penalty for Importing prohibited pieces of copper or mixed metal not being coin.

No. 625, dated the 1st February, 1889.—In exercise of the power conferred by section 19 of the Sea Customs Act, VIII of 1878, the Governor General in Council is pleased to prohibit the bringing into British India by sea or by land of pieces of copper or mixed metal, which not being coin as defined in the Indian Penal Code are intended to be used as money:

Provided that the bringing of such pieces into British India by a traveller in quantity not exceeding one hundred pieces and in good faith for his own use shall not be deemed to be prohibited by this notification.

2. In exercise of the power conferred by section 6 of the Metal Tokens Act, I of 1889, the Governor General in Council is further pleased to direct—

- (a) that any person bringing pieces of copper into British India in contravention of the foregoing prohibition under section 19 of the Sea Customs Act, 1878, shall be liable to the punishment to which he would be liable if he were convicted under the Metal Tokens Act, I of 1889, of making in British India, in contravention of section 3 of that Act, any such piece as is mentioned in that section, and
- (b) that the provisions of sub-section (3) of section 4, and sub-section (1) of such section 5 of the Metal Tokens Act, I of 1889, in relation to the offence of making in British India in contravention of section 3 of that Act any such piece as is mentioned in that section, shall apply so far as they can be made applicable to the offence of contravening the foregoing prohibition under section 19 of the Sea Customs Act, 1878.

[See Gazette of India, 1839, Pt. I, p. 76.]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE MEASURES OF LENGTH ACT, 1889 (II OF 1889).**Date of operation of Act.**

No. 953, dated the 30th May, 1889.—The Governor General in Council is pleased to direct under section 1, sub-section (3), of the Measures of Length Act, II of 1889, that the said Act shall come into force on the 15th day of June, 1889.

[*Sec Gazette of India, 1889, Pt. I, p. 305.*]

Place of keeping of copy of Imperial Standard Yard.

No. 954, dated the 30th May, 1889.—Under section 3 of the Measures of Length Act, II of 1889, the Governor General in Council is pleased to prescribe the Mathematical Instrument Office of the Survey of India Department as the place within the limits of the town of Calcutta where the approved copy of the imperial standard for determining the length of the imperial standard yard for the United Kingdom shall be kept.

[*Sec Gazette of India, 1912, Pt. I, p. 1589.*]

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANDISE MARKS ACT, 1889 (IV OF 1889).

Instructions to be observed by Criminal Courts with reference to trade descriptions of quantity, measure or weight of certain goods.

No. 1474, dated the 13th November, 1891.—In exercise of the power conferred by section 16 of the Indian Merchandise Marks Act, IV of 1889, and in supersession of all existing orders on the subject, the Governor General in Council is pleased to direct that Criminal Courts in giving effect to the provisions of the Act in respect of trade descriptions of quantity, measure or weight of the goods specified hereunder shall observe the following instructions:—

I.—A trade description of length stamped on *grey, white or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless—

(a) where a single length is stamped, the description exceeds the actual length by more than—

4 inches in pieces stamped as 10 yards long and under;

5 inches in pieces stamped as above 10 yards and up to 23 yards long;

7 inches in pieces stamped as above 23 yards and up to 36 yards long;

9 inches in pieces stamped as above 36 yards and up to 47 yards long;

18 inches in pieces stamped as above 47 yards long:

Provided that the average length of the goods in question shall not be less than the stamped length;

(b) where a maximum and a minimum length are stamped, the described maximum length is greater than the actual length by more than:—

9 inches in piece-goods under 35 yards long;

18 inches in piece-goods 35 yards and up to 47 yards long;

36 inches in piece-goods above 47 yards long:

Provided that no such piece shall measure less than the minimum stamped length.

II.—A trade description of width stamped on *grey, white or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless the description exceeds the actual width by—

half an inch in pieces stamped as 40 inches or less in width;
three quarters of an inch in pieces stamped as over 40 inches or under 59 inches in width;

one inch in pieces stamped as 59 inches or more in width:

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANDISE MARKS ACT, 1889 (IV OF 1889).

Instructions to be observed by Criminal Courts with reference to trade descriptions of quantity, measure or weight of certain goods—*contd.*

Provided that the average width of the goods in question shall not be less than the stamped width.

III.—A trade description of count or number, length or weight applied to *grey*, or *bleached cotton yarn* shall not be deemed to be false in a material respect unless—

- (a) the described count or number is greater or less than the actual count or number by more than 5 per cent., provided that the average count of the whole of the yarn in question is not greater or less than the described count; or
- (b) the average length of the whole number of hanks in a bundle is less than 840 yards; or
- (c) in a bundle of yarn of any count under 50 described as being 10 lb. in weight, the number of knots of twenty hanks each is not half or the number of knots of ten hanks each is not the same as, and the number of knots of five hanks is not double, the described count or number of the yarn; or
- ¹[(d) in a bundle of yarn of any count under 50, described as being 5 lbs. in weight, the number of knots of 20 hanks each is not a quarter of, or the number of knots of 10 hanks each is not half, or the number of knots of 5 hanks each is not the same as, the described count or number of the yarn; or]
- (e) in a bundle of yarn of any count from 50 upwards the number of knots of twenty hanks each is not half, or the number of knots of 40 hanks each is not a quarter when the described weight is 10 lbs., and is not a quarter or an eighth, as the case may be, when the described weight is lb., of the count or number of the yarn; or
- (f) in the case of *bleached yarn* the described weight exceeds the actual weight by more than:—
 - 7½ per cent in counts from 1 to 8;
 - 5 per cent in counts from above 8 to 18;
 - 4 per cent in counts from above 18 to 30;
 - 2½ per cent in counts from above 30 to 80.

¹ Substituted by Notification No. 495-6, dated the 25th January, 1913, see Gazette of India, 1913, Pt. I, p. 76.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANDISE MARKS ACT, 1889 (IV of 1889).

Instructions to be observed by Criminal Courts with reference to trade descriptions of quantity, measure or weight of certain goods—*concl'd.*

IV.—A trade description of count or number applied to a bundle of *dyed cotton yarn* shall be accepted as indicating length only, the hank being taken to measure 840 yards, and it shall be deemed to be false in a material respect if the average length of the hanks in a bundle is less than 819 yards.

V.—A trade description of length applied to *thread of any kind* (of cotton wool, flax, or silk) shall not be deemed to be false in a material respect unless it exceeds the actual length by more than 1 per cent.

VI.—The dimensions of goods on which their length or width is stamped shall be determined by measurement in imperial yards of 36 inches.

[See Gazette of India, 1891, Pt. I, p. 626.]

Rules as to piece-goods under the Indian Merchandise Marks Act, 1889 (IV of 1889).

No. 1430, dated the 6th April, 1891.—In exercise of the powers conferred by section 19-A, sub-section (2), of the Sea Customs Act, 1878 (as amended by section 11 of the Indian Merchandise Marks Act, 1889), and sections 19 and 20 of the Indian Merchandise Marks Act, 1889 (as amended by Act IX of 1891), the Governor General in Council is pleased to make the subjoined rules and orders:

1. Piece-goods, such as are ordinarily sold by length or by the piece, shall be deemed to include woollen goods of all kinds and the undermentioned descriptions of cotton goods, namely:—

Cambrics.
Checks, spots, and stripes.
Chudders.
Chudder Dhooties.
Dhooties.
Domestics.
Doorias.
Drills.
Jaconets.
Jeans.
Lappets.
Lawns.
Lenos.
Longcloths.

Madapollams.
Mulls.
Muslins.
Nainsooks.
Printers.
Prints.
Saries.
Scarves (Eklai).
Sheetings.
Shirtings.
Tanjibs.
Twills.
T. Cloths and Mexicans.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*contd.*

THE INDIAN MERCHANDISE MARKS ACT, 1889 (IV of 1889).

*Rules as to piece-goods under the Indian Merchandise Marks Act, 1889 (IV of 1889)—*contd.**

2. Other classes of piece-goods shall not be detained if unstamped; and unstamped cotton and woollen piece-goods imported for private and personal use and not intended for sale shall not be detained if the Customs Collector is satisfied that they are actually not intended for sale.

3. Examinations of packages to ascertain whether the goods mentioned in Rule I are stamped shall be made at frequent intervals, at the discretion of the Customs Collector, and either under his personal instructions or under general orders and instructions given by him to an Assistant Collector.

4. The piece-goods contained in the packages so examined need not be examined when found to be stamped to test the accuracy of the stamping, except on information received or when the Customs Collector has reason to suspect that the stamping is false.

5. All measurements of piece-goods shall be made on the table.

6. Yarns need not be examined or measured except on information received, or when the Collector has reason to suspect that the trade description is false.

7. An examination of yarns to test the accuracy of the description of count or length shall be made, in the first instance, up to the limit of one bundle in every one hundred bales or fraction of one hundred bales in the consignment.

8. If on such examination the difference between the average count or length and the described count or length is in excess of the variations permitted in paragraphs III and IV of the Notification of the Government of India in the Home Department, No. 21474 (Judicial), dated the 13th November, 1891, the importer may require a further examination to be made up to the limit and on the conditions stated in Rule 9.

9. The test to determine length of yarns shall be applied as follows:

From every one hundred bales, or fraction of one hundred bales, in a consignment one bundle should be selected at random. The hanks in this bundle should then be measured on the wrap-reel, one after the other, in the presence of a representative of the importer, and the lengths noted, the process being continued (within the limit of the

¹ These Rules were substituted by Notification No. 2337-S. R., dated the 30th June, 1893, see Gazette of India, 1893, Pt. I, p. 714

² *Supra*, p. 865.

Part II.—General Rules and Orders made under General Acts of the Governor General in Council—*concl.*

THE INDIAN MERCHANDISE MARKS ACT, 1889 (IV of 1889).

Rules as to piece-goods under the Indian Merchandise Marks Act, 1889 (IV of 1889)—*concl.*

bundle) until either the importer is satisfied that the yarn is short, or the average of the lengths noted shows that it is of full length.

When the importer is dissatisfied with this test, he may, on payment of the cost, require the Customs Collector to measure more hanks up to 1 per cent of the total number of hanks in the consignment, such hanks being taken at random, by an officer of customs out of any bundles in the consignment.

These nine hanks should then be tested on the wrap-reel. If on such test the difference between the average count or length and the described count or length is in excess of the variations permitted by the Notification quoted in the preceding rule, the process may be repeated if the importer should require it up to the limit of one per cent of the whole number of bundles in the consignment; but no more extended examination shall be made unless the importer agrees to pay the cost thereof, in which case an examination may be made up to the limit of ten per cent of the bundles in the consignment.

10. The Customs Collector may require from any informant a security not exceeding 500 rupees. If the Collector should be satisfied that the information given is wilfully false, the security shall be forfeited.

[*See Gazette of India, 1891, Pt. I, p. 187.*]

